

THE  
ANCIENT CAPITAL  
OF  
SCOTLAND

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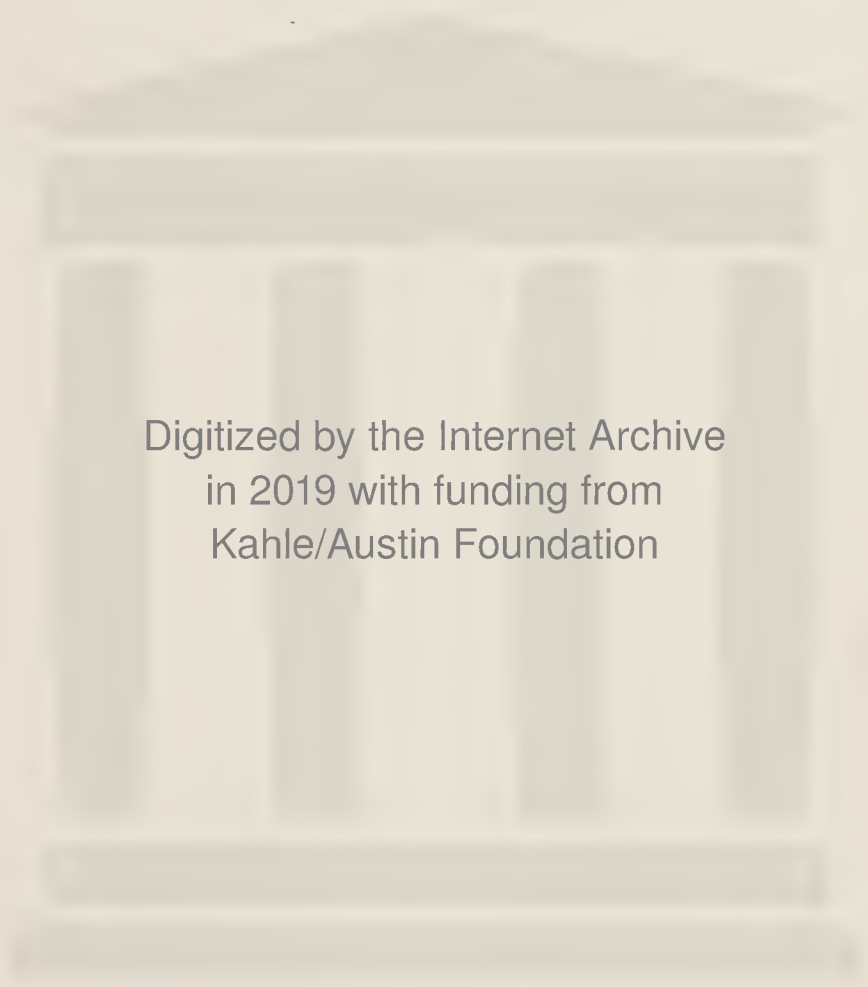
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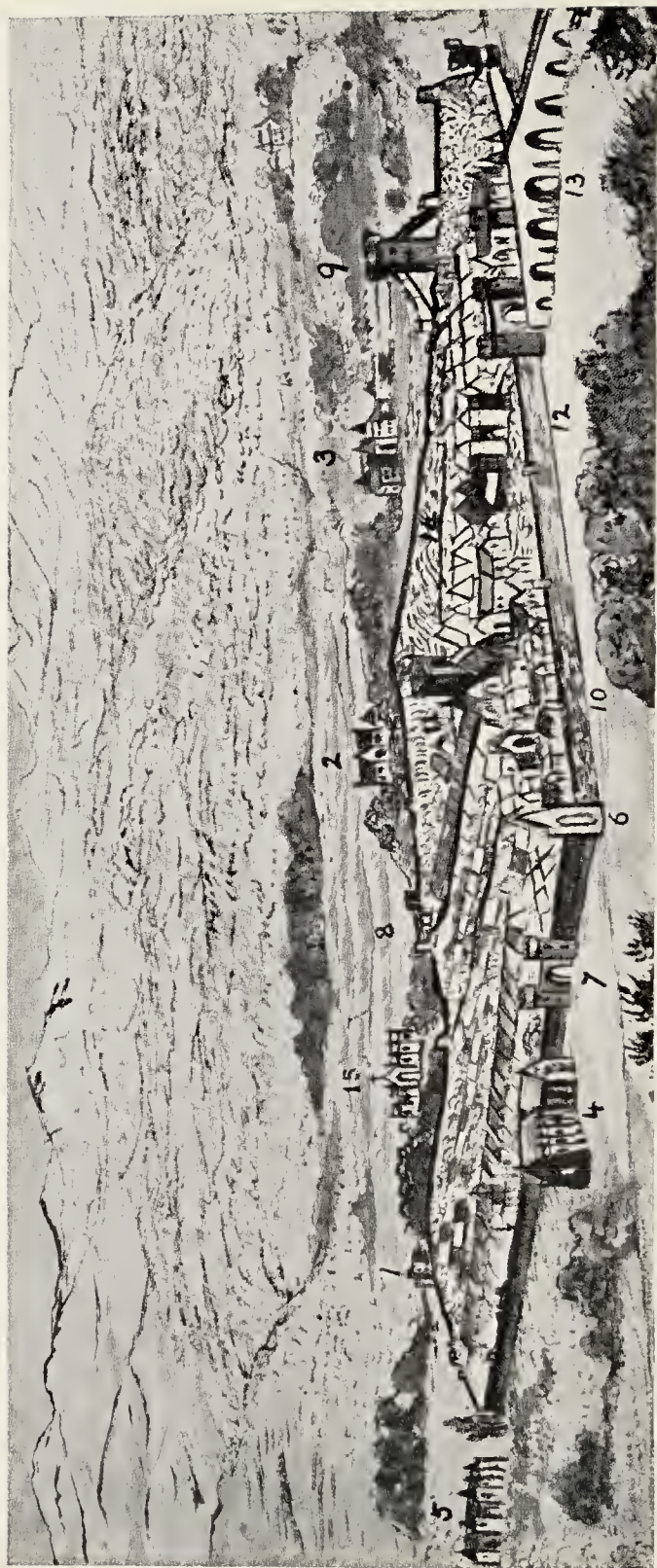






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# PERTH BEFORE THE REFORMATION SHOWING THE ANCIENT CITY WALL



*Frontispiece*

1. Southgate or South Street Port.
2. Carmelite or Whitefriars Monastery.
3. Dominican or Blackfriars Monastery.
4. Franciscan or Greyfriars Monastery.
5. St. Leonard's Religious House.

6. Spey or Spy Tower.
7. South Port.
8. Highgate or High Street Port.
9. The Ancient Castle of Perth.
10. Gowrie House.

11. The Church of St. John.
12. The Tolbooth.
13. Bridge across the Tay—Foot of High Street.
14. Road from St. John's Church to the Castle.
15. Carthusian Monastery or Charterhouse.

# THE ANCIENT CAPITAL OF SCOTLAND

The Story of Perth from the Invasion of  
Agricola to the Passing of the Reform Bill

BY

SAMUEL COWAN, J.P.

AUTHOR OF "MARY QUEEN OF SCOTS, AND WHO WROTE THE CASKET  
LETTERS," "THE GOWRIE CONSPIRACY," ETC.

IN TWO VOLS.

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1904

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THE GOWRIE CONSPIRACY AND ITS  
OFFICIAL NARRATIVE.

# CONTENTS.

## CHAPTER I.

	Page
Foundation and Early History of Perth, the Ancient Capital— Roman Occupation—Victoria—Site of Agricola's Camp— Site of Ancient and Modern Perth—Bertha, St. Johnstoun, Perth—Walls, Gateways, and Fortifications—Some of the Ancient Monuments—Battle of Mons Grampius and sup- posed Site—Roman Camps at Battledykes, Haerfaulds, and Kempstonehill—The Druids and their Customs—The Druid Encampment at Perth (Kilspindie)—The Picts, who were they?—The Dawn of Christianity—St. Columba at Inverness and Perth—Conversion of the Picts to Chris- tianity by Columba—The Columban Church and its form of Government—Burning of Iona in 813 by the Danes— Dr. Anderson on the Geology of Perth, ... ..	I

## CHAPTER II.

The Ancient Church of St. John—Foundation and Early History—The Cutty Stool, Knox's Pulpit, and the Royal Pew—Edward I. celebrates there the Feast of the Nativity of St. John—Edward III. assassinates his brother before the Altar—Tombs of James I. and the Gowries—Charter from the Monastery of Dunfermline granting the Town permission for interments—Confirmation of this Charter by the Prior and Bishop of St. Andrews—The Town in 1475 in trouble respecting a Chaplain for the Altar of the Virgin Mary—Ordinance issued to the Provost and Magis- trates by the Cathedral Church of St. Andrews—The Incorporated Trades seat the Church—Strange Marriage Customs adopted—The ancient Bells of St. John's, and their remarkable Inscriptions—History of the Communion Cups—The forty Catholic Altars which adorned the interior, with names of Founders, ... ..	37
--	----

## CHAPTER III.

The Ancient Monuments of Perth—The House of the Green —Lowswark and Boot of Balhousie—The Ancient Castle of Perth—The Gilten Herbar or Gilten Arbor—The Ancient Castle of Kinnoull—The old Mercat Cross of the Burgh—The old Parliament House—Halkerston Tower— The Dragon's Hole—The Inches—Perth Grammar School and Sang School—The Fair Maid's House—Gowrie House —The Monkstower—The Spy Tower, ... ..	61
---	----



## CHAPTER IV.

	Page
The Four Monasteries and the Ten Religious Houses—The curious Lease of the Blackfriars Croft between the Prior and John Malcolm—The general appearance of the Monasteries as they were, by an Eye-Witness—The legend of St. William of Perth—The two Hospitals of King James VI.—The Meikle and Little College Yards—Perth Harbour—The Great Floods in the River from the earliest times up to 1814—The Ancient Bridges washed away and reconstructed—Curious inscription on General Wade's Bridge—The Bridge that took eighteen years to build and was carried away—The action of the Lords of the Privy Council—John Murray of Tibbermore and the Magistrates quarrel over Pitheavlis Quarry—The Lords of Session settle the quarrel on appeal, ... ..	102

## CHAPTER V.

The Ancient Kingdom of Scone—Its Early History—Forteviot Palace—The Ancient Abbey and Monastery—Foundation Charter of Alexander I., in 1115—The Moothill of Scone—Site of the Ancient Abbey—Royal City—Friars Den and Gateway—Scone a Shipping Port in the twelfth century—Establishment of Canons Regular at Scone—Charter of Malcolm IV. in 1164—Coronation of Alexander III. at Scone—Coronation of Robert II.—Meetings of the Scottish Parliament at Scone, 1284, 1286, 1294, 1366—Charter by the Commendator of Scone creating Lord Ruthven Sheriff of Perth—Charter creating Lord Ruthven Perpetual Commendator of the Abbey and Monastery of Scone—Charter granting the Lands of the Abbey of Scone to Lord Ruthven, 1581—The Ancient Earldom of Gowrie, held by Donald Bane, afterwards King of Scotland—Act of Parliament dissolving the Abbey of Scone in favour of David Murray, Lord Scone, and conveying to him the lands of Scone, forfeited on Gowrie's Attainder, ... ..	137
--	-----

## CHAPTER VI.

BARONY OF GOWRIE: Family of Ruthven—BARONY OF SCONE: Family of Murray, Viscounts Stormont, and Earls of Mansfield—BARONY OF KINNOULL: Families of Erskine, Crichton, Oliphant, Hay—BARONY OF GRAY AND KINFARNS: Family of Gray, Family of Charteris of Kinfauns—BARONY OF BALHOUSIE: Family of Eviot, ... ..	160
--	-----

## CHAPTER VII.

The Scottish Parliament: Scottish National MSS.—Battle of Luncarty—The Dual Tragedy, Duncan and Macbeth—	
--	--

## Contents

v

	Page
Malcolm Canmore, Queen Margaret and Dunfermline Abbey—Interview between William the Conqueror and Malcolm Canmore—Witch Pool at Woody Island—Perth merchant ships in 1128—First Convention of Estates at Perth: First Ecclesiastical Council—Reign of William the Lion, who resided at Perth—His remarkable Byelaws—Translation of his famous Charter of 1210—His Funeral Cortege at Perth Bridge—Curious interview of Alexander II. and Henry III. at York—Romantic marriage of Robert Bruce's Parents—Alexander III. and the King of Norway—Sir William Wallace and his heroic Career—Battle of Elcho Park—Fawdon's Ghost meets Wallace at Gask House—First Siege of Perth, ... ..	196

### CHAPTER VIII.

Wallace sets fire to the Barns o' Ayr, and burns the English soldiers—Epitaph by Wallace on Sir John Graham, slain at Falkirk—Second siege of Perth by Wallace, and capture of the town—Speech by Wallace when desired to surrender—Edward I. arrives at Perth with his troops—Betrayal and Execution of Wallace—Robert Bruce crowned at Scone—Countess of Buchan imprisoned in a Cage—Siege of Perth by Robert Bruce (third siege)—Siege of Perth by Robert Bruce (fourth siege)—Beatrice of Perth—Death of Robert Bruce—Battle of Dupplin, and seizure of Perth by Edward Baliol—King Edward's version of the Battle of Dupplin (specially translated)—Perth taken from the English after a siege of three months (fifth siege)—Siege and capture of Perth by Edward III. (sixth siege)—The Treaty of Perth (1335), Edward and the Scottish nobles—Edward assassinates his brother in St. John's Church—Edward's secret Letter to the King of France, dated at Perth—Perth visited by the Plague—Siege of Perth by the Regent of Scotland, and surrender of the English under Oughtred (seventh siege)—The Drummond Family acquire Stobhall—Royal Mint established at Perth—John Mercer and his son liberated by the English—Expense of King Robert's Tombstone, ... ..	233
---	-----

### CHAPTER IX.

The Mercer Family, ... ..	264
---------------------------	-----

### CHAPTER X.

Battle of the Clans on the North Inch—Dundee and Perth vessels captured coming from Flanders—Capture and Ransom of James I., and his Personal Obligation to pay—Coronation of James I. at Scone—His assassination in Blackfriars Monastery—Assassination of Douglas by	
--	--

	Page
James II.—Perth Magistrates burn Noblemen's Houses : extraordinary conduct—Presentation at Perth of a Horse to James III. on the occasion of his visit—Visit of James IV. to Perth—Stobhall and the Drummond family—The Ferry Boats at the North Inch : Kincarrathie Boat—Lease to Lord Stormont in 1536—Magistrates sink the Boat—Battle for the Provostship in 1544 and sixty persons killed—Martyrdom of six citizens—Methven Castle and its place in history—Methven Castle as a Royal residence—The Laird of Methven marries Queen Margaret—The famous Riot at Methven Castle in 1594—The Laird's wife presents a loaded pistol at the Covenanters in Methven Wood—Her letters to her husband regarding this incident,	289

## CHAPTER XI.

## TOWN COUNCIL RECORDS.

The Sheriff of Perth orders certain persons to be executed—The Provost ordains thieves to be hanged—Two Provosts elected for the Burgh—The twelve Burgesses who sat in the Tolbooth with the Provost and Magistrates—The Magistrates appear before the Lords of Session to explain their book-keeping—The Regent appoints Ruthven to be Provost—Abolition of Craftsmen as Councillors—Seizure of the Blackfriars property by the Town Council—Election of Magistrates by the Queen—The King in 1572 elects the Council—Greyfriars authorised as a Burying-ground—Expulsion of the Town Clerk by physical force—Council refuse to recognise the King's nomination of Councillors—The Dean of Guild assassinated in the streets of Perth by a Burgess, and the Burgess hanged—The King's characteristic visit to Perth after he assumed the English crown—The Town Council call a Minister—The Town Council reformed and reconstituted by the Convention of Burghs, ... ..	331
--	-----

## CHAPTER XII.

Register of the Provosts, 1666 to 1800—How the Town's accounts were audited in 1577, and the Treasurer clapped in the Tolbooth—The Incorporated Trades ; their origin and administration—The Ancient Craftsmen and Merchants Guild ; their exclusive rights and privileges ; their Festivals <i>Corpus Christi</i> and St. Obert's Eve—The Vatican Archives,	363
--	-----

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## P R E F A C E.

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TO produce a history of the Ancient Capital is a task of no common order, chiefly because of the extensive period over which it must extend, and of the number of events requiring to be embraced in the narrative. This must be the main reason why an exhaustive history has never hitherto been attempted. The writer has been about forty years identified with the social and political life of the town and county, and has long given his attention to this subject. The public will be able to judge how far he has succeeded. It is with difficulty he has been able to restrict the matter to two volumes: this has compelled him to make his criticisms brief. It would have been an easy matter to have added another volume. Many of the circumstances are mysterious, perplexing, insurmountable, for no other reason than from the want of light. But a careful and patient study of the material enables us in many cases to arrive at a reasonable conclusion. Another difficulty is that almost all the ancient monuments have disappeared, and we are deprived of the privilege of giving certain illustrations, which would have been an attraction to the work. The preservation of the archives has been very imperfectly attended to, while during the rule of Cromwell all the records that could be found here and in Edinburgh were sent to the Tower of London, and that has been an irreparable loss.

The history of the Ancient Capital is in some respects a history of Scotland, as many of the events which appear on the record were all more or less

national as well as local, while the circumstances in which the town was situated not only demanded, but received, the unremitting attention of all the Scottish kings. As a royal residence it flourished long before Holyrood, and its choice situation attracted royalty to its gates long after the Court had gone to Edinburgh. There is probably no place in Scotland so full of historic memories, of extraordinary incidents and events, as is that of the Ancient Capital. Assuming that it came into existence during the Roman period, its foundation heralded the dawn of civilisation, and afterwards it was privileged to hold out the olive branch to Saint Columba, and take its part in the conversion of the native races to the Christian faith. Education at that time was practically unknown, darkness and superstition prevailed, and what became the Realm of Scotland was then a collection of petty States each with its own ruler. The first indication we have of order being brought out of chaos was in 843, when the civil war which had raged for upwards of four centuries, viz., from the Roman evacuation, came to an end, and Kenneth M'Alpine subdued and amalgamated the Picts and Scots, and became their king. For this period the records are blank, but from the date of that event there was a decided improvement in the administration, and so far as we have records to guide us, it is evident that many of the early kings showed an honest desire to leave their kingdom better than they found it. Perth, Abernethy, and Scone were at that date important places, although Forteviot Palace was the residence of Kenneth, but the exact relations of these three places to each other is certainly not clearly defined. There appears to have been royal residences at all three. Perth never was recognised as an ecclesiastical seat, never had a resident ecclesiastical dignitary. All through its history it was the seat of the Court and capital for civil and

administrative purposes until the Court was removed to Edinburgh by James II. Scone and Abernethy were chiefly ecclesiastical seats, but Scone far outstripped its rival in respect that after the time of Kenneth M'Alpine it became by appointment the place for the coronation of the Scottish kings. At these and at the Moothill of Scone several brilliant events occurred. It would be difficult to say what was the most notable event in the history of Perth, when we think of the seven sieges, its murder of the king, its tragic monastic history, its memorable Reformation, its Gowrie Conspiracy, its episcopacy and covenanting battles, its rebellions of 1715 and 1745, not to speak of the Magistrates on one occasion running away and the town being deserted. These events involved an overwhelming loss of life, and show an unsettled condition of the people, brought about by circumstances for which the Ancient Capital was in no way responsible.

Glimpses of the social life of the people will be found in the Town Council and Kirk-session records, of which we have given some of the more prominent incidents. As usual, the Church figures in the more notable of these, and some of them are so ridiculous as to raise grave doubts of their reality. Perth as a commercial centre in the middle ages presents in that respect a most interesting feature to the student of history. Its greatest merchant was John Mercer, who died in the fourteenth century. He was a direct descendant of John Mercer, who gifted the three water-mills to Malcolm Canmore, and got in exchange a vault in St. John's Church. The funerals of those who had a right to be interred in this vault were evidently great functions, as on each occasion the bells rang during the day, and a considerable sum of money was handed by the relatives to the chief magistrate for the poor of the town. The Ruthvens were the next family of note in connection

with Perth ; unlike the Mercers, they never interfered in commerce, but enjoyed large incomes from the rental of their estates. The history of Perth affords very pleasing reading in regard to the men who were its chief magistrates. No place could have been more fortunate, for in the course of its municipal career it has had a run of unexceptionally good men, and although the town has passed through a heavy calendar of crime, its chief magistrates stand out conspicuous as men who were comparatively unimpeachable.

The inauguration of the golden age of Perth was undoubtedly the work of William the Lion. He was a man in advance of his time. His Charters and Bye-Laws, his establishing craftsmen and merchants, and his admirable rules for their government, mark him out as a great ruler. His successors confirmed and ratified these and improved them, and the town from that date entered on an age of prosperity. But with the prosperity came the floods in the river, and many other troubles, and the washing away of the bridges. This latter was a calamity that affected the people as much as the sieges, because the bridges had to be rebuilt and money had to be found. We have fully referred to this in the narrative. The trials for witchcraft disclose a very curious state of the social condition of the people. The age was one of gross superstition, and we cannot but recognise that in the trials of these poor misguided creatures the Magistrates were as full of superstition as the criminals at the bar.

The history of the Ancient Capital as a national record may be said to have terminated with the Rebellion of 1745. Since that period the town has had peace and prosperity until the controversy arose regarding the Reform Bill which became law in 1832, when the Ancient Capital was fortunate in securing a Member of Parliament for itself.

The illustrations which accompany the work have all been drawn and engraved expressly for it, and will be found of unusual interest, specially those of the ancient town and the monasteries. The portraits and seals will also be of great importance to all who are interested in local history and antiquities.

Finally, I have to express my indebtedness to the Perth Town Council and the Literary and Antiquarian Society for their generous permission to inspect their entire collections of MSS. I also have to acknowledge valuable assistance from the Earl of Mansfield; the Earl of Kinnoull; Colonel Smythe of Methven; the Rev. Professor Kennedy, D.D., Edinburgh, who is responsible for the learned article on the seals of the monastic institutions, and the ancient and modern arms of the Corporation of Perth, with illustrations; Dr. Maitland Thomson, and Rev. John Anderson, of the Register House; Mr. J. T. Clark, keeper of the Advocates' Library; Sir James Balfour Paul; the Rev. A. Stuart Martin, Scone; Rev. W. Stevenson, Auchtertool; Dr. Urquhart, Perth; Mr. King Gillies, Perth Academy; Mr. Lockhart Thomson, S.S.C., Edinburgh; Mr. George A. Mackenzie, W.S., Perth; Mr. Thomas Macpherson, S.S.C., Perth; Mr. George A. Miller, W.S., Perth; Mr. John B. M'Cash, banker, Perth; Mr. W. E. Ritchie, solicitor, Perth; also the Rev. Dr. Conway, Newcastle-on-Tyne; the Rev. B. Zimmerman, Carmelite Priory, Wincanton; the Rev. John Baptiste Petre, Partridge Green; and the Rev. T. Hermans, of the Friary, Stratford.

S. C.

PERTH, *February*, 1904.



## AUTHORITIES CONSULTED.

The Archives of the Record Room of the Ancient Capital.  
The Archives of the Literary and Antiquarian Society of  
Perth.  
The Archives of King James VI. Hospital.  
The Scott MSS. in the Advocates' Library,  
Kalendar of Papers relating to Scotland,  
Register of the Great Seal.  
Register of the Privy Council.  
The Exchequer Rolls.  
The Ragman Rolls.  
The Hamilton Papers.  
Acts of the Scottish Parliament.  
Jamieson's Roman Army in Scotland,  
Tolland's History of the Druids.  
Chronicles of the Picts and Scots,  
Earldom of Atholl.  
Hailes' Annals.  
Dalrymple's Scottish History.  
Lives of the Lindsays.  
Pitcairn's Criminal Trials,  
Arnot's Criminal Trials.  
Spottiswoode Miscellany.  
Chronicles of Edward I. and II.  
Skene's Celtic Scotland.  
Wilson's Prehistoric Annals.  
Scotland in the Middle Ages, Cosmo Innes.  
Dr. John Stuart's Sculptured Stones of Scotland.  
Memoirs of Oliver Cromwell.  
The Celtic Church in Scotland, Bishop Dowden.  
The Muses Threnodie.  
Chambers' History of the Rebellion.  
Jamieson's History of the Culdees.  
Maitland, Pinkerton, Tytler, and Hill Burton's Histories of  
Scotland.

TRANSLATIONS OR TRANSCRIPTS  
PREPARED FOR, AND APPEARING IN,  
THIS WORK.

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- 1162 The Mercer Charter, in the possession of the Marquis of  
Lansdowne.  
1210 William the Lion Charter to the Corporation of Perth.  
1219 Mandate of Pope Honorius III., Scone.  
1237 Mandate of Pope Gregory IX., Scone and Dunkeld.  
1272 Mandate of Pope Gregory X., Scone  
1275 Mandate of Pope Gregory X., Perth.  
1332 King Edward's Narrative of the Battle of Dupplin.  
1335 King Edward's Letter from Perth to the French King.  
1424 Obligation by James I. to pay his Ransom.  
1440 Charter granting the Town Burial Rights in the Choir.  
1442 Appointment of Midsummer Fair.  
1442 Ordinance of James II. regarding Midsummer Fair.  
1457 Ordinance of James II. regarding Andrewmas Fair.  
1464 Indenture, Boot of Balhousie and Lowswark.  
1493 Protest by the Town against Lord Ruthven.  
1494 Indenture, Lowswark, Ruthven, and Magistrates.  
1510 Coronership of Perth, Instrument of Protest.  
1536 North Inch Ferry Boat and Lord Stormont.  
1547 Model Lease of the Blackfriars Croft.  
1556-1580 The Bloody Roll of the Sheriffdom of Perth, in three  
divisions.  
1569 Charter of the First Hospital.  
1572 Pacification of Perth, Ordinance of the Lords.  
1572 Sheriff-Clerkship, Petition to Court of Session.  
1572 Deliverance of the Lords.  
1579 King's Ordinance, Perth Bridge.  
1586 Perth and Dundee quarrel, King's Ordinance.  
1591 Ordinance compelling Owners to repair City Wall.  
1592 Magistrates and the quarrel with Robert Bruce.  
1594 Lords of Session, Methven Castle Riot.

- 1599 Ordinance fining Magistrates £68.
- 1599 Ordinance of the King, Perth Bridge
- 1602 Inhibition, James Ross of Craigie.
- 1602 Deed of Gift, Gowrie House to the Town.
- 1605 Sentence of Robert Bruce.
- 1605 Mortification by James VI. of £1,000, Gowrie Deliverance.
- 1610 Gaoler of the Tolbooth's Agreement.
- 1616 Patrick Murray's Petition to repair the Tolbooth.
- 1616 Perth and Dunkeld Dean of Guild Jurisdiction.
- 1653 Ordinance by the Council, Defaulting Taxpayers.
- 1663 Citadel, Petition by the Magistrates.
- 1669 King's Ordinance, Little Dunning Market.
- 1686 Oath of Allegiance, Commissioners of Supply.
- 1689 Proclamation by William of Orange.
- 1689 Town Council Oath of Allegiance to William of Orange.
- 1689 Post Office Proclamation by William of Orange.
- 1689 Postmaster-General's Letter to the Town Council.
- 1690 Town Council Call to Robert Anderson.
- 1691 Refusal of the Moderator.
- 1696 King's Edict electing Town Council.
- 1698 The Mercer Transcript.
- 1699 Official Report, Common Good.
- 1700 Petition of the Magistrates to Parliament.
- 1701 Address by the Magistrates to King William.
- 1706 Magistrates' Petition against the Union.
- 1715 Provost Austen's Cautionary Bond.
- 1715 Letter by the Pretender to Laurence Oliphant.
- 1716 Gift of the Town Clerkship to James Richardson.
- 1718 Opinion of the Rebellion, R. Dundas and Duncan Forbes,  
advocates.
- 1719 Mercer Vault Litigation.
- 1723 Joint Library Prospectus.
- 1746 Address by the Magistrates to the King.
- 1746 Address by the Magistrates to the Duke of Cumberland.
- 1746 Disposition of Gowrie House.



# ILLUSTRATIONS.

## Volume I.

THE ANCIENT CAPITAL, - - -	<i>Frontispiece</i>	
THE ANCIENT CHURCH OF ST. JOHN (SHOWING HALKERSTON TOWER), -	<i>Facing page</i>	37
ST. JOHN'S CHURCH, 1774, - - -	"	38
ST. JOHN'S CHURCH BEFORE THE REFOR- MATION, - - - - -	"	40
THE ANCIENT CASTLE OF PERTH, -	"	68
THE ANCIENT MERCAT CROSS OF PERTH, AND THE OLD CROSS OF SCONE, - - - - -	"	78
OLD PARLIAMENT HOUSE OF PERTH, -	"	80
THE MONKTOWER, - - - -	"	82
THE BLACKFRIARS MONASTERY, - -	"	100
THE CARMELITE MONASTERY, - -	"	102
THE CARTHUSIAN MONASTERY, - -	"	104
THE FRANCISCAN MONASTERY, - -	"	106
THE ANCIENT OR ROYAL CITY OF SCONE, - - - - -	"	140
THE ANCIENT GATEWAY OF SCONE, AND THREE SETS OF ARMS (2 Plates), -	"	142
THE ANCIENT HOUSE OF SCONE, - -	"	144
THE OLD HOUSE OF KINFAUNS, - -	"	192
THE ANCIENT CASTLE OF BALHOUSIE, MERCER VAULT IN ST. JOHN'S CHURCH, AND THE MERCER ARMS, - -	"	286
THE OLD COUNCIL CHAMBER AND TOLBOOTH, - - - - -	"	332
ARMS OF THE ANCIENT INCORPORATIONS,	"	376

## Portraits.

WILLIAM, FIRST EARL OF MANSFIELD, Lord Chief Justice, - - - -	"	172
WILLIAM DAVID, TENTH VISCOUNT STORMONT, - - - - -	"	174
GEORGE, FIRST EARL OF KINNOULL, Lord Chancellor, - - - -	"	178
THOMAS, EIGHTH EARL OF KINNOULL,	"	180



# HISTORY

OF THE

## ANCIENT CAPITAL OF SCOTLAND

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### CHAPTER I.

Foundation and Early History of Perth, the Ancient Capital  
—Roman Occupation—Victoria—Site of Agricola's Camp  
—Site of Ancient and Modern Perth — Bertha, St. Johnstoun, Perth—Walls, Gateways, and Fortifications—  
Some of the Ancient Monuments — Battle of Mons Grampius and supposed Site — Roman Camps at Battledykes, Haerfaulds, and Kempstonehill — The Druids and their Customs—The Druid Encampment at Perth (Kilspindie)—The Picts, who were they?—The Dawn of Christianity—St. Columba at Inverness and Perth — Conversion of the Picts to Christianity by Columba — The Columban Church and its form of Government—Burning of Iona in 813 by the Danes—Dr. Anderson on the Geology of Perth.

IN endeavouring to write a history of the Ancient Capital of Scotland, we are reminded of the fact that no writer has ever attempted to give a consecutive narrative embracing the first ten centuries of the Christian era. For that period anything of historical value is very fragmentary; and we therefore must fall back on such material as we can obtain, in order to form an intelligible narrative. It would be a great acquisition to our

historic literature if we were able to produce an authentic history of the Ancient Capital from its foundation onwards, but the difficulties in the way are insurmountable. Where, for example, are we to begin ; and whom are we to believe ? For the early history of Perth is involved in obscurity, and research has not greatly improved the situation. Agricola's was the third Roman invasion of Britain, and it occurred in the reign of Vespasian in the first century. From all reports the former was a man of temperate judgment, a skilful military commander, and well qualified to hold his high office. It was in the third year of this campaign that he is said to have got as far as the Firth of Tay, but the actual position of his camp cannot be finally determined. Any attempt to do so now could only be conjecture. It is said by some writers to have been at the junction of the Tay and Almond, but no trace of a Roman camp can be discovered there. It is at this point that we meet the first and greatest difficulty. What was it that induced the Roman general to establish the headquarters of his army on (presumably) the North Inch ? for we must take the Castle Gable district, the Skinnergate and Watergate, the subterranean street under St. John Street and Princes Street, and from that to the river, as very probably the site of this encampment. The old castle which stood in that locality is believed to have been built by him. The Inches and the river would undoubtedly afford him inducements to pitch his camp, which, judging from other Roman camps in Scotland, would be on a considerable scale ; and this is supposed to have

been the beginning of what afterwards became the Ancient Capital.

In the darkness and obscurity which prevailed over Scotland at that early or pre-historic period, we are much interested to know what was its condition; were the natives purely Picts and Scots, or were there other races in addition to these? We have no reason to suppose that any race, other than the Picts and Scots, occupied our more immediate locality. It was a savage period, as rude as that of Somaliland and of the native races of Africa to-day. The Romans were the harbingers of a new economy. Their arrival sounded the death-knell of the barbarians, and they introduced, by the aid of military conquest, the dawn of civilisation, which led eventually to the extermination of the native races, and their slow but gradual replacement by a race of inhabitants who became more enlightened and civilised. The first six centuries of our local history were essentially an age of Paganism, but the seventh and eighth and succeeding centuries witnessed the development of an improved state of the country; and undoubtedly the civilising influence inspired by the Romans achieved a tremendous accession of strength when Kenneth M'Alpin, by military conquest, amalgamated the Picts and Scots in 843. This victory was as great in its time as Bannockburn was in the fourteenth century. It substantially settled the civil war that had raged for centuries in our immediate neighbourhood, procured a lasting peace between the two fighting native races, and paved the way for subsequent peace and civil and religious liberty. Assuming

then that Agricola erected dwellings for the use of his soldiers during the Roman invasion, and that the Roman evacuation occurred in 420, that would give 337 years as the period during which Victoria or Bertha was a Roman or Latin town, governed by Roman laws and customs. It may have been, as is very commonly asserted by antiquarians, one of the Roman cities of Britain.<sup>1</sup> For one thing, the native races had got from the Romans a military education, an initial knowledge and experience of military tactics, and the use of arms. In proof of this, they carried on warfare with redoubled vigour after the Roman evacuation. Some writers go the length of saying that they drove the Romans out of the country. Be that as it may, the life of the native races, the Picts and Scots, for four and a half centuries afterwards, was one of continued fighting, until in the ninth century, as already stated, they were subdued by Kenneth M'Alpin, who became the head of the new monarchy. This important achievement, which solved a great question, took place near Scone. Kenneth was encamped there, and the Picts coming up under Drusken, their king, both armies drew up in order of battle. The Picts were totally defeated, and their king slain. What part Bertha played in this drama we do not know, but there is reason to suppose it was the headquarters of the Picts before the foundation of Abernethy and Scone.

It is not at all improbable that the Ancient Capital occupied the site where Perth now stands. In support of this theory, modern research

<sup>1</sup> Cosmo Innes.



indicates that the ancient town of Agricola must have been 15 to 20 feet lower than the present town, and that Perth of to-day is built over the ancient city. To protect the town against inundations, the authorities were obliged to raise the levels from time to time. During last century traces of buildings and paved streets, evidently Roman remains, were actually discovered 15 feet below the present level in the neighbourhood of St. John's Church and St. Paul's Church, the two extremities, so to speak, of Northgate or High Street. When the foundations of St. Paul's Church were being excavated, at a point where the surface is 20 feet above the level of the river, there was found at the depth of 10 feet a work of well-built ashlar masonry, extending in a line parallel with the river, and provided with iron rings and staples, indicating its having been a quay. A subterranean stable was found under the present street level, having four stalls and a manger very neatly wrought of the twigs of trees, work that was much practised by the early inhabitants. According to an ancient writer,<sup>1</sup> such persons as had occasion to dig deep into the streets found that there was a causeway many feet below the present surface. Whittaker, a more eminent authority, is of opinion that Perth, or Victoria, as it was called by the Romans, was declared to be a Latin town, the privileges of which were that the inhabitants were not governed by a foreign prefect and foreign questor, but by a prefect and questor elected by themselves. Every inhabitant of such a town who had filled the office of prefect and

<sup>1</sup> Boece.

questor was immediately entitled to the privileges of a Roman citizen. Assuming this statement to be accurate, Victoria or Perth must have been in existence during the Roman period. The position chosen by Agricola for his camp, if on the site where Perth now stands, would be an admirable centre for military operations. It is recorded that the name given to it by them was Victoria, signifying "Victory"; a name, however, which the native races thought spelled "subjection." Accordingly, they changed it on the departure of the Romans. To Agricola the name was suitable, as he had conquered Britain, and the founding of a town would be a memorial to himself and the senate and people of Rome.<sup>1</sup> The Bertha of Fordoun must have stood on the site of modern Perth. He wrote in the fourteenth century. Boece, who was born in Dundee in the fifteenth century, has been quoted by various writers as an authentic historian. But he is not so, and cannot be accepted as such, notwithstanding Adamson's belief in him. What Adamson has related is not his own creation, but is understood to be conform to the current literature of the time, and is, of course, open to question.

The Romans had many encampments in Scotland, and not a few of these in Perthshire. The rivers, mountains, and unexplored regions offered facilities for warlike operations, and for the subjugation of the native races, while their campaign against the Northern Picts evidently obliged them to make their initial preparations in

<sup>1</sup> The statement by Chalmers that Victoria was in the west end of Strathearn is quite erroneous.



Perthshire as being a choice centre. There is no authority for the statement that Agricola never was in the neighbourhood. It is sufficient that he constructed a temporary bridge across the Tay at its junction with the Almond, one mile up the river from Perth. This evidently was to enable him to penetrate into the territory of the Northern Picts as after events showed. It is said he exercised a vast influence for good amongst the Picts and Scots, notwithstanding that he was engaged in subduing them, and that he introduced Roman manners and customs, and stimulated the people to build temples and improved dwellings. From what is recorded of Agricola, we should think this a highly probable deduction. What gave rise to the town being called Perth is not so clear. Evidently from Victoria it became Bertha. This in all probability would be immediately after the Romans departed from Britain. Up to 420 the town was evidently called Victoria, and was so designated by the Romans. We have no charter or written documents so far back to throw light on what would have been of much interest. We must therefore rely on the circumstances of the period, so far as known to us, in order to determine these points. We assume, then, that Victoria was its name when founded, and on the departure of the Romans the name was changed to Bertha, and eventually Perth; as regards both these we must look for a Celtic or Gaelic derivation. The origin of this place-name appears to be found in "*Aber-tha*," meaning "the confluence of the river Tay," with some other river or stream, or with the tidal waters. The initial vowel of

"Aber," for the sake of abbreviation, having been thrown away, the name became "Bertha," which being further curtailed became "Berth." The transition from "Bertha," or "Berth," to the modern "Perth," is easy—B and P in the Celtic vernacular being easily interchangeable; in fact, *B* in Gaelic is invariably pronounced as if it were the softer consonant *P*. "Tay" (Latin *Tavus*), and (Celtic *Tarrh*, pronounced "Tāv"), means the *still, quiet, flowing water*.

Perth from the Roman period up to the latter half of the sixth century was undoubtedly called Bertha, and on the conversion of the Picts to Christianity was named St. Johnstoun because of the dedication of the Church to St. John the Baptist. Bertha does not seem to have appeared in any official document. Up to the seventeenth century it was known both as St. Johnstoun and Perth. St. Johnstoun repeatedly appears in official papers both before and after the Reformation.

Boece, followed by Camden, Buchanan and others, alleges that the earlier "Perth" was at the confluence of the Almond and the Tay, that its original name was *Bertha*, or *Berth*, and that the town having been swept away by an abnormal flood, anno 1210, a new town arose two miles farther down the river. This may be characterised as a fable, and dismissed *sans cérémonie*. There was, however, a *Rath-ver-Amon* at the head of the Almond, where Donald, brother of Kenneth M'Alpin, according to the Chronicle in the Register of St. Andrews, died, anno 863, and where Constantine IV. was slain, anno 995.

In the "Liber Ecclesiæ de Scon" (especially

in the Charter given by Kings Alexander I., 1107-1124, Malcolm IV., 1153-1165, and William I., 1165-1214), there is ample documentary evidence that a town of the name of "Perth" was in existence long before the year 1210; and where else but on the present site? Before 1210, it had its "castellum," its "mansio," its "molendina," its "pons," its "villa," etc.

Boece, prior to 1200, is careful to give it the name of Bertha, and after 1200 calls it Perth. Fordoun gives it the name of Perth centuries before 1200. By the inundation of 1210, according to the former writer, the King's infant son, nurse, twelve women, and twenty servants perished. But according to Fordoun no person perished in this inundation. There were many towns in different parts of Britain when the Romans invaded it, not so much for general residences, as for fortresses or places of refuge.<sup>1</sup> Houses were planted in the centre of forests, defended by the advantages of their position, and secured by a regular rampart or fort.<sup>2</sup> If there be a place which bore that name (Malena) situated near Perth, from which the tide rolled, and frequently occasioned a great overflowing of water, then it seems to demonstrate that the town of Perth anciently stood on the same site where it now stands.<sup>3</sup> It appears from early records, that military walls to resist sieges surrounded the Ancient Capital from a very early period up to the middle of the eighteenth century. That these were originally built, as some suppose, by Agricola, we think doubtful; nor do we think they

<sup>1</sup> Whittaker.

<sup>2</sup> Archives of Perth Literary and Antiquarian Society.

<sup>3</sup> Mercer's Notes.

were built before the Romans left Scotland. On this point history is silent. In connection with these walls and fortifications, there were three of the entrance gates to the town strongly guarded with towers—viz., the Speygate or Southgate port, the nearest bridge port, and the south port or port for Bridge of Earn. The fortifications were in the middle ages renewed and made stronger by Edward III. Six monasteries were assessed for the cost of these three gates and towers: the towers were built over the gates. The tower for the building of which David Gow, prior of St. Andrews, levied 280 marks, is supposed to have been the Spey, or Spy tower, which was built over the Southgate of the town, near Canal Street.

We are informed, on sufficient authority,<sup>1</sup> that Perth is intimately associated with the early history of Scotland. For the first ten centuries of the Christian era, what is now called Scotland was divided into petty kingdoms, and it was only at the close of the tenth century that these were amalgamated, and formed the kingdom of Scotland. The country was known previously by the name of Caledonia or Alban. The geographical names—England and Scotland—had not then been applied to the British Isles. North of the Forth the inhabitants were called Caledonians or Northern Picts: south of the Forth, Southern Picts or Britons. The territory forming the subsequent kingdom of Scotland was, in the seventh century, peopled by four races: Picts, Scots, Angles, and Britons,<sup>2</sup> and a Roman historian, Marcellinus, who describes the first great outbursts of the barbaric tribes upon the

<sup>1</sup> Chronicles of the Picts and Scots.      <sup>2</sup> Bede.

Roman province in Britain in 360, says:—"Picti Saxonesque et Scoti et Allacoti Britannos ærumnis vexavere continuis." The Britons were the inhabitants of the Roman province, which then extended to the Firths of Forth and Clyde, and was protected from the barbaric tribes by the Roman wall between these two estuaries. Two and a half centuries afterwards, all four nations occupied fixed settlements in Britain, and had formed permanent kingdoms within its limits.

A well-informed writer<sup>1</sup> says that the town was regularly built and fortified at the command of Agricola while he was prosecuting his conquests north of the Forth, and that he built a strong castle and supplied the ditches with water by an aqueduct from the Almond. In the sixth century the Picts were converted to Christianity, and dedicated the Church of Perth to St. John the Baptist. This is the earliest historical incident recorded, and it enables us to recognise the fact that Perth was at that period a town of moderate size, at a time that might be called prehistoric. The matter of the alleged exclamation of the Roman soldiers when they first beheld the Tay, "*Ecce Tiber, Ecce Campus Martius*," is nothing more than a tradition. The new statistical account states that Adamson, who recorded it, had in his possession the Dundee MS. From what Cant says, it contained nothing about "*Ecce Tiber*." Dundee was a citizen of Perth, and in this MS. were recorded several local events. The MS., which has unfortunately been lost, dates from 1570. Up to the time of Columba, the primitive dwellings of the

<sup>1</sup> James Scott.



inhabitants would not necessarily be of stone. They are more likely to have been of wood and wattles, and for some centuries that would probably be the class of house forming the town.

We are further informed<sup>1</sup> that if the authority of ancient writers is to be accepted, there was a town built on the site of Perth by the Romans in the first century. Historians have preserved some notice of the existence of Perth during the troublous centuries that preceded the reign of Malcolm Canmore. Before David I. came to reign, according to these authorities, there was regular government in Perth, under which people lived and had a measure of protection for their property. The King, residing in the old Castle of Perth, took an interest in the town's welfare, called it "his burgh," and threw the special protection of law around its inhabitants; he granted them the privileges of free citizens, with right to elect magistrates and administer justice, and conferred a monopoly of trade within the county of Perth. Like other royal burghs, there were an Alderman or Provost, Bailies, and Council, elected annually at Michaelmas, by the free voice of the burgesses in public assembly. Under David I. the rights and privileges of the burgh were the common property of all burgesses, whether craftsmen or merchants.

It is stated by another writer<sup>2</sup> that early in the fifth century, about 422, a Roman legion made its appearance for the last time, and succeeded in driving the Picts beyond the northern wall; but it was no longer possible to retain the province of Valentia—the country between the walls of

<sup>1</sup> Hammerman Book.    <sup>2</sup> Wilson's Prehistoric Annals.

Antoninus and Severus. During their occupation, civil war was constant between them and the Picts and Scots. For a century and a half thereafter, there are practically no annals at all, so that we know nothing of the country for that period. For a time after the Roman occupation ceased, a darkness, it is said,<sup>1</sup> settled down over Britain and shrouded the inhabitants from the eye of Europe, till the spread of that great and paramount influence which succeeded to the dominion of the Roman Empire—the Christian Church.

Perth stands supremely alone, as being probably the scene of more historical events and as having once been distinguished by more ancient monuments than any place of which we are aware. The latter, if we except the Church of St. John, have all passed away. Some were monuments of no mean pretensions. There was the House of the Green, the most ancient of them all, with its predecessor the Pagan temple dedicated to Mars, and its legendary reputation ; the Gilten Herbar or Gilten Arbor, with equipments in gold, silver, and brass, forming part of the grounds of the Blackfriars ; the Castle of Perth, the residence of the early kings, with its garden and its constant influx of royal personages ; Gowrie House, which for elegant design and internal equipment was a famous building ; and the Carthusian Monastery or Chartreuse, the most ornate and elegant of them all. These monuments will continue to have a deep interest to natives of the ancient capital, as well as to students of Scottish history, for they will always throw a side-light on the chess board

<sup>1</sup> Skene.

of local events at a time when few historical records were written. But when all has been said and done, we much regret that so little has been recorded, and how little we know of the social and political life of the inhabitants all through these ages since the Roman period. The greatest event in Agricola's campaign was probably his defeat of Galgacus, although it is a fair deduction to suppose that he must have fought several battles, looking to the number, extent, and vast distance between the Roman camps in Scotland. Tacitus gives us the details of one battle, but he does not say that that was the only one that was fought by Agricola. He has left us entirely in the dark as to where Mons Grampius is, where this battle was fought. Much controversy has taken place over this event, and whether it was fought in the district of Comrie, as some allege, or at Blairgowrie, or near Stonchaven, it is impossible now to determine with certainty. Excavations have recently been going on at Inchtuthill, on the Delvine estate,<sup>1</sup> and military weapons have been found there which seem to indicate that a battle, but not this battle, must have been fought in that neighbourhood. Agricola evidently pursued the enemy along the ridge of the Grampians, probably to Inchtuthill, where he crossed the Tay by a wooden bridge. There are Roman remains all along the ridge. The Roman road from Innerpeffray to Dupplin seems to have been made at more leisure, when the Romans were settled in Angus, as all the country to the east of the Tay was then called. That these roads

<sup>1</sup> See works recently published by Sir Alexander Muir Mackenzie, Bart., and Sir James Ramsay, Bart.



were not completed, not even the bridges over the Tay and Isla, seems evident, as the Romans retired by the wooden bridge at Inchtuthill, and broke it down after them, which obliged the Scots to march to Dunkeld and erect a wooden bridge there.<sup>1</sup>

Some writers point out that at the date of the battle the word "Grampians" had not been applied to these mountains, nor was it applied for long after, Drumalbyn and the Month or Mounth being the names by which these hills were then known. Consequently, there are those who deny that the Mons Grampius of Tacitus had anything to do with the Grampian mountains. Instead of the Roman author taking the name of the battlefield from the native name of a chain of hills, we have given the chain of hills its name from that by which the Roman author was supposed to have designed the battlefield.<sup>2</sup> We find there are vestiges of Roman camps at Camelon, Ardoch, Strageath, Bertha, and Coupar-Angus. At Callander (Leny) the camp was very extensive, and the ramparts of great height and strength. At Dalginross and Glenalmond there were only summer camps of small extent.<sup>3</sup>

From the neighbourhood of Perth all through Strathmore, Roman works are to be found, and in the Muir of Lour in Forfarshire are to be seen the remains of two Roman camps, with a causeway or Roman road running between them (eight miles). The camp at Battledykes, three miles north of Forfar, is defended on all sides by two ramparts of

<sup>1</sup> Dr. Adam Drummond.      <sup>2</sup> Hill Burton.

<sup>3</sup> Roman Camps, Captain A. Shand, Royal Artillery, 1788.

stone and earth, and two gates on the north and south sides. It is 110 paces in circumference;<sup>1</sup> another writer<sup>2</sup> says it is 470 yards square. Another camp in the Muir of Lour at Haerfaulds, said to be 800 yards in length and 400 in breadth, is about eight miles from that at Battledykes. Those two camps, thus connected, secured the whole breadth of the valley of Angus. Battledykes is six miles from the nearest mountain, while Haerfaulds is eight miles from the sea and guarded the other side of the valley. The military way from Fordoun must have gone by the large camp at Ury hill, three miles north-west from Stonehaven. This camp (Kempstonehill) is three-quarters of a mile square and three miles in circumference, fenced with a high rampart and a very deep and broad ditch. There are six gates, each fortified with a rampart and ditch. Another writer<sup>3</sup> supposes the Romans to have proceeded through Strathmore and the "Howe" of the Mearns to Fetteresso, where there are the remains of a Roman camp, situated about a mile from Stonehaven and not far from the sea. From this camp the Romans, according to this writer, proceeded north-east along the coast, crossing the water of Cowie (which runs past Ury) to the Kempstonehill, a few miles north of Stonehaven, where there are three cairns. These are between two huge stones, each 10 feet high, standing on end, 100 yards from each other. In each of these cairns stone coffins have been found, within which were urns containing earth.

It is probable that Agricola first visited his fleet at the mouth of the Tay; then marched to the Muir of

<sup>1</sup> Jamieson, *Roman Army in Scotland*.    <sup>2</sup> Maitland.

<sup>3</sup> Jamieson.

Lour, thence to Battledykes, and onward to Stonehaven, where it would seem (Kempstonehill) the great battle described by Tacitus was fought.<sup>1</sup> There is much probability in the theory laid down by this writer, and much to be said in support of it, although we cannot regard his conclusions as final.

In regard to the camp at Dalginross another writer<sup>2</sup> wrote an interesting and well-thought-out paper in 1807, which was read before the Perth Literary and Antiquarian Society. He says tradition reports that the battle lasted three days between Edinample, Lochearnside and Cultoquhey. He adopts Gordon's idea that the battle took place on the plain at Dalginross, which is four miles long from the wood of Craigish to nearly opposite the church of Strowan, and in most places one and a half miles broad. He refers to the hills from Aberuchill to Monzie as forming a great amphitheatre, and as fitting in with the description of Tacitus, and etymologically from Gaelic derivations conveying the same meaning as the word "Grampians."

Whittaker uses the same argument for the battle having taken place at the confluence of the Tay and Isla. That is on the estate of Ardblair, the Gaelic derivation of which is, he says, the Hill of Battle. It is thus obvious that the exact site of the famous engagement cannot be accurately determined. For Kempstonehill, Dalginross, and Inchtuthill respectively much is to be said, and the solution of the question must for ever lie between

<sup>1</sup> Jamieson.      <sup>2</sup> J. W. M'Diarmid, Comrie.

these places whose claims to the honour are decidedly strong.

The balance of evidence inclines us to favour Kempstonehill. The Roman works there and in all that neighbourhood are of such an extensive character as to arrest our attention in the consideration of this matter. There is no other locality in Scotland, so far as we are aware, where such huge encampments were built and fortified. These works were presumably executed in view of permanent occupation, as the subjugation of the Caledonians or Northern Picts was a work that might last for years. Those warlike people, like the Boers of the Transvaal, fled into the fastnesses of their wild surroundings—into the caves and covers of the rugged mountains, in the face of an enemy. To get at them was an operation of no small difficulty. The elaborate preparations for the subjugation of the country which these camps indicate are a strong proof that the Galgacus engagement took place there.

The Romans founded various towns in Scotland at that period, although we have no historic record. The Emperor Vespasian, Agricola's friend and patron, died in A.D. 79, and was succeeded by Titus, his eldest son, who in the third year of his reign died from the effects of poison, said to have been administered by Domitian, his brother. In the second year of his reign Domitian recalled Agricola. Shortly after this Agricola died in his fifty-sixth year, of poison, also said to have been administered by the tyrant Domitian. A beautiful tribute was paid to his memory by Tacitus, his son-in-law: "All of Agricola that gained our love and raised our

admiration, still subsists and will ever subsist, preserved in the minds of man, the registers of ages, and the records of fame. Agricola, delineated with truth, and fairly consigned to posterity, will survive himself and triumph over the injuries of time."

Strange though it may seem, we find that the Ancient Capital or its immediate neighbourhood was in early times the seat of an encampment of the Druids. This encampment was at Kilspindie, a few miles distant. Of these people we know very little, while a great deal that has been written about them is the merest conjecture. One thing is certain, they were a cruel, barbarous, and despotic race, indulging in the most abhorrent of all rites, the sacrifice of human beings.

Religion, prior to the time of the Culdees,<sup>1</sup> was in the hands of the Druids, who are supposed to have combined the characters of prophet and priest. Religious rites are said to have been celebrated by them in the recesses of the forests, which at that time covered a large part of the country. The Druids had no covered temples. The forest was their temple, and a rough unhewn stone their altar. They worshipped deities corresponding to Jupiter, Mars, and Apollo, and were ruled by an elected chief. They made their own laws, which they never reduced to writing, and constituted themselves the instructors of youth and judges of the people. Whether they taught the immortality of the soul and its transmigration from one body to another until received into the assembly of the gods, as has been said by some writers, may or may not be true.

<sup>1</sup> The Culdees were travelling preachers, good, pious men, of the school of Columba.



The Druids are believed, in the legendary traditions of the Highlands, to have been of both sexes, as we also learn from the testimony of ancient history. When Suetonius invaded the island of Anglesea, his soldiers were struck with terror at the strange appearance of a great number of the consecrated females, who ran up and down the ranks of the army like enraged furies, with their hair dishevelled and flaming torches in their hands, imprecating the wrath of Heaven on the invaders of their country. These Druidesses were of three classes—those who vowed perpetual virginity; those who were married, and those who served.<sup>1</sup> The Druids computed time by nights not by days, and they regulated all their great ceremonies by the age and aspect of the moon. Their most august ceremony of cutting the mistletoe was always performed on the sixth day of the moon.<sup>2</sup> Whatever they may have been in Cæsar's day, they were supposed to be endowed with gifts of divination and a certain limited power to work miracles—something partaking of the witch and Bohemian in later times. They were the supreme judges in all disputes, and ratified their decisions by excommunication.<sup>3</sup>

On the testimony of Cæsar, all the Druids were subject to an Arch-druid. In Cæsar's time the chief school of the Druids was said to be in Britain, and he therefore infers that Druidism was unveiled in Britain and thence translated to Gaul. The Druid temple consisted of one circle of erect stones. In the centre stood an erect stone larger than any of the rest. Near this, and generally due east of it, lay an oblong

<sup>1</sup> Henry's History of Great Britain.

<sup>2</sup> Maitland.

<sup>3</sup> Hill Burton.



flat stone, which served the purpose of an altar. On the north point, which was the door of entry, stood a vessel filled with water, with which every one who entered was sprinkled. The judicial circle, in the exterior, differed in nothing from the temple; in the interior it differed widely. It had no obelisk in the centre, no altar, no sprinkling vessel. It contained one, two, or three divisions; the three circles being intended to accommodate the three ranks of Druids, nobility and commons.<sup>1</sup> The largest Druid temple now remaining is at Carnac in France, where the circle numbers 400 stones. The next largest is Stonehenge, the circle there numbering 139 stones, while the one at Avebury in Wilts covers a space of 28 acres. The next largest is that at Callernish, in the Hebrides. Few people are aware that the Druids had a very close connection with Perthshire. An interesting paper on the Perthshire encampment in the Carse of Gowrie was read nearly 100 years ago by Archibald Gorrie of Rait before the Literary and Antiquarian Society of Perth. It is rather a remarkable paper, and affords information on a subject of great obscurity. The substance of it is as follows:—

The Druids are said to have been acquainted with the learned languages, skilled in the philosophy of the times, and to have possessed much political influence, and to have been the leaders of the people in theological matters. It is said they honoured the Divine Being, and worshipped inferior deities, that they believed the soul to be immortal, but that it passed from one body to another; that they had consecrated fires, and that they either worshipped

<sup>1</sup> Tolland's History of the Druids.

fire or adored the Deity in the presence of the fire. They worshipped in groves, and erected circles of large stones, where they performed religious rites and held courts of justice. That the Druids came from Asia at a very early period is beyond doubt, and that they retained many of the religious ceremonies practised by the heathen nations there is quite evident. The heathen deity Baal was an object of veneration among them. The high places of Baal are to be met with in this county, and still retain the name of that god to whom the Druids paid homage. The hill of Beal (Baal) is situated in the parish of Kilspindie, and forms the most conspicuous eminence in that part of the Sidlaws. On the summit of this hill is a level area capable of accommodating 5,000 men. Here the Druids are supposed to have held their annual assemblies, and from the extensive view could issue signals to light the hallowed fires all over the surrounding country. A circle of stones has given the name of Clachan to a small eminence about 200 yards east from the hill of Baal. A mile to the east is a perpendicular rock called *Craig Greine* or Craig of the Sun. Some suppose that the Sun was worshipped under the name of Baal. To the east of *Craig Greine* is a circle of stones, and in one of these are several cavities to receive the water pure as it fell from heaven, and in which the Druids are said to have performed their ablutions. About a mile south from this is another circle of stones, while at Bandirran, three miles from the hill of Beal, stands another circle. The adjoining ground is Dritch Muir (Druids' Muir). On breaking up some of the ground in 1819, a large cairn was discovered, coated over with turf a foot

in thickness. Below the cairn and about the centre of the circle was a pit 30 feet long by 18 feet deep, faced on the sides with freestone and paved in the bottom. It was empty. But a number of small cairns which were found near it, covered large quantities of ashes; and human bones, half burnt, were found amongst the stones, indicating that the Druids offered human sacrifices, or used the ground as a place of sepulture. Two miles from Druids' Muir is a place called Sildry, supposed to have taken its name from its summit having been used as an observatory of the Druids. About a mile south from the hill of Beal is a stone circle called the Druids' Temple. The church of Kilspindie stands a short distance south-east from that circle. Near the church is the village of Pitroddie—Pitdrodie, Pit-Druidæ—the burying-place of the Druids. On a rising ground near the village a number of ancient graves were found—some below large cairns, others almost at the surface. From the top of the hill is to be seen Tullybelton (in Gaelic, Tulloch-Beal-tein, mount of Baal's fire), also Drumbeltie (Caputh), Drum-Beal-tein. These were resorts of the Druids.

The most vigorous opponents of the early Celtic missionaries were the Druids. The Druids are presented to us as sorcerers and magicians. Their stone circles and cromlechs are not heathen temples and altars, but sepulchral monuments. The magi of the Columban period are not priests, but wizards who have gained control over the powers that underlie the forces of Nature.<sup>1</sup>

In Kirkmichael parish, Perthshire, is a vast body

<sup>1</sup> Dowden, *Celtic Church in Scotland*.

of Druid remains. On an extensive moor in the east side of Strathardle, there is a large circle or heap of stones 90 yards in circumference and 25 feet high. From the east side of this circle two parallel rows of stones extend to the southward in a straight line upwards of 100 yards. These form an avenue 32 feet broad leading to the circle. West from this are two concentric circles of upright stones, the outer 50 feet, and the inner 32 feet in diameter, and in the vicinity is a rocking stone. About 60 yards north of this are two rude concentric circles similar to the others, and 37 yards farther on another pair of these circles. From these, at a distance of 45 yards, there is another pair, while in the vicinity are two rectangular enclosures of 37 feet by 12. All the concentric circles are of the same dimensions, the inner 32 and the outer 45 feet in diameter.

In regard to the early inhabitants of Perth, the question has been often asked, Who were the Picts? Dr. John Stuart, an eminent antiquarian, informs us<sup>1</sup> that it was the custom of the Britons to stain their bodies before the Roman occupation. Herodian, who lived in the third century, says they punctured their bodies with pictured forms of every sort of animal; and Thomas Innes, in 1729, makes it plain, while speaking of the ancient inhabitants, that the southern Britons, having given up the custom, the term "Picti," the painted, came to be applied to those in the north who continued the practice towards the end of the third century. A work called the "*Historia Britonum*," written in the seventh or eighth century, says: "From their tattooing their fair skin they were called Picts."

<sup>1</sup> Sculptured Stones of Scotland.

The appearance, therefore, which our forefathers presented to the Romans must have been similar to that which the natives of New Zealand presented to the Europeans who first landed amongst them.<sup>1</sup>

The Picts, who are said to have occupied Scotland 200 years B.C., were a warlike, not a learned or literary people.<sup>2</sup> The only books written in Scotland up to the seventh century are said to have been the lives of Columba and Adamnan and their writings, and the Chronicles of the Picts and Scots. Books were written in these days by the monks, and up to the eleventh century on papyrus imported from Egypt. Paper made from silk and cotton was an invention of the eleventh century, and common paper as we have it of the fourteenth century. The services of the Church were performed in Latin, and it was considered an act of piety to attend, though scarcely one of the audience understood a word. The Picts had their own language, and did not understand Latin. It would thus appear that the service in St. John's Church was in early times conducted in Latin. The English language of to-day was then unknown to the people. Latin was the official language recognised on all public occasions, and by the monks and scribes in reducing anything to writing. Latin continued to be so for centuries, alongside of the native dialects, the Pictish, ancient Scots, and Gaelic or Celtic.

The introduction of Christianity into Britain and its early connection with Perth forms an important chapter in our local history. Tertullian informs us

<sup>1</sup> Laing.

<sup>2</sup> Pinkerton.



that the Gospel had made its way into parts of Britain which the Romans had never reached, and he adds "a statement which may be supposed to indicate that at the end of the second century even Scotland had not been unvisited by missionaries."<sup>1</sup> The churches of the early Christians are stated to have had no images or pictures. The connection of art with heathen worship operated against the employment of it in sacred things. Up to this time the figure of the Cross had not assumed its place in Scotland over the altar, nor was any devotion paid to it.<sup>2</sup> The more prominent events of the second and third centuries were the persecution of the early Christians by the Roman emperors, and controversies by persons having false notions of Christianity desiring to form peculiar sects of their own. In the beginning of the fourth century came the Arian heresy, combated by Athanasius, who fought many a battle on behalf of orthodox Christianity.

The middle of the fifth century is remarkable as the period of the fall of what was known as the Western Empire. The Roman Empire was beginning to give way—the Western Empire being one of its dependencies. Britain, France, and Spain had been already abandoned by the Romans. Whether their leaving Britain was an act of expulsion by the Picts, or whether they found themselves unable to spare the forces necessary for maintaining a military establishment here, is not very clear.

The next historical event was the arrival in Scotland in 563 of St. Columba with twelve

<sup>1</sup> Robertson.

<sup>2</sup> *Ibid.*



companions. For thirty years he laboured at Iona, where he established a little college long famous as a centre of religious training. The life and habits of Columba and his followers were characterised, as is well known, by self-denial. The rules laid down by the venerable saint were not to be disobeyed. Six strokes were to be given to any one who would call anything his own; ditto to any one who should omit "Amen" after the abbot's blessing, or to make the sign of the Cross on his spoon or his candle; ditto to every one who should talk at meals or who should fail to repress a cough at the beginning of a psalm. Ten strokes for striking the table with a knife or for spilling beer on it. Penitents were not allowed to wash their hands except on Sunday. Such, we are informed,<sup>1</sup> is an illustration of Columba's rigid discipline.

A statement of considerable importance is made by Jamieson that Columba went into the eastern parts of Scotland or the territories of the Picts, and also was the means of converting Brude, the Pictish King, whose reign terminated in 587. When Columba and his companions arrived at the palace of King Brude, they were met by closed doors; but before the sign of the Cross, as the story is told, the locks flew back, the gates opened, and Columba and his companions entered. At the time of this visit Inverness was the Pictish capital. Abernethy and Scone were subsequently capitals. The visit to Brude is believed to have lasted some weeks, and to have resulted in his conversion and consequently the conversion of the

<sup>1</sup> Robertson.

Pictish people. His leaving the north was attended with a curious incident. On his announcing on what day he was to depart, a powerful Druid called Broichan intimated that on that day he could not leave, as he would raise a contrary wind and bring down the mist from the mountains; and so it happened. But Columba embarked in spite of the murmurs of the sailors, and ordered his canvas to be spread in the teeth of the gale and sailed triumphantly against the wind.<sup>1</sup> This highly important visit with its results was the greatest event of the time, although it is unfortunate that we have no details of it. While it would be fully recorded afterwards by the monks, we must remember that the civil war and fire-raising which prevailed in these early centuries, the partial destruction of Perth by the flood of 1210, the various sieges of Perth, and the seizing of the national records by Cromwell, are sufficient to account for the disappearance of our historical MSS., which unquestionably perished during these troublous times. In those prehistoric days Columba was like a ministering angel, heralding the dawn of Christianity which, in subsequent ages, was to be the means of civilising the native races and securing to the kingdom the peace and prosperity we now enjoy. In view of this remarkable event, and of the pilgrimage of Columba to other parts of Scotland, a statement which has not been called in question, it is reasonable to conclude that Columba, in the course of these wanderings, visited Perth and preached the gospel to the Picts. What lends probability to this is that we know the

<sup>1</sup> Dowden's Celtic Church in Scotland.

conversion of the Picts followed as the result of his visit to the Pictish king. Perth at that period was a Pictish town, though not the capital, and was one of the places where the Northern Picts had a Pagan temple. It is fair to conclude from the circumstances of the time, and the fragmentary knowledge we possess, that the mission of Columba resulted in the abolition of this Pagan temple, afterwards replaced by the House of the Green, and the erection of the first Christian Church by the Northern Picts—afterwards called the Church of St. John. The dawn of Christianity was thus heralded by the great apostle of Iona, and Perth of that day, with its primitive little Church, may be said (exclusive of St. Ninian's Mission) to have witnessed the first rays of Christianity that dawned upon our island. Had the loss of the national MSS. not occurred, we should doubtless have been able to confirm from authentic evidence the visit of Columba to Perth, and his opening the first Christian Church in our midst—the church which has lived through all these ages, and which we are proud to have still preserved as the greatest ornament of the Ancient Capital.

While Perth has had a remarkable history, and been identified with sieges, battles, floods, conspiracies, the Reformation and the two Rebellions, the visit of Columba and the conversion of the Picts in 563 must ever be pre-eminent in importance as an historical incident, while it stamps our local history with the mark of antiquity, and gives to our city a strong claim to be regarded as quite as ancient as any other town in Scotland. It is well entitled to the appellation of the Ancient Capital, and the

narrative which follows will disclose a singular record, mixed up with many startling events both in its civil and military administration, in all of which the Scottish Parliament, the Scottish Nobles, and the Estates of the Realm played a conspicuous part. We are informed by a highly capable authority, that Perth is certainly a place of very high antiquity. No record or chronicler alludes to its origin. It is probably as old as any sort of civilised society among us.<sup>1</sup>

The nature and administration of the Columban Church, like many historical questions, has been surrounded with controversy. The three great bodies, the Presbyterian, Episcopal, and Roman Catholic, each claim it as having been administered according to their formulas; while a learned writer, in our own time,<sup>2</sup> says the constitution, as a whole, of the Columban Church, in which all bishops in the Church's service were under the supreme jurisdiction of the presbytery and abbot of Iona (Bede, iii.), is quite inconsistent with what is, and then was, a leading feature of the Roman Church, viz., the government of the Church by an Episcopal Hierarchy. Another writer, who cannot be disregarded,<sup>3</sup> tells us that Iona had a rector, and always an abbot and presbyter, to whom all the province and the bishops themselves were subject. Segenius was presbyter and abbot of Iona when Aidan got the degree of a bishop, and was sent in 633 to instruct the province of the English. Bede informs us that Iona had a governor who was

<sup>1</sup> Cosmo Innes, *Scotland in the Middle Ages*.

<sup>2</sup> *Aberdonensis* in *Scotsman*, July 1, 1902.

<sup>3</sup> James Dalrymple, *Scottish History*.

abbot, and always a presbyter to whose jurisdiction all the province and even the bishops themselves ought to be subject, according to the example of their first doctor, who was not a bishop, but a presbyter and monk.

The Scottish or Columban Church, according to some writers, was at first governed by bishops, clothed with the same powers and authority that their contemporary bishops in other parts of the Christian world exercised. Neither, as one writer says,<sup>1</sup> from the manner of our first conversion to Christianity, nor from the practices and settlement of the Culdees, nor yet from the constitution of the monastery of Iona, can it be gathered that the first model of a church among us was founded in any other way than what was conformable to the then custom of the Christian Church all the world over, and that was by the government of bishops as distinct from, and superior to, presbytery. This writer speaks of the government of bishops "as the custom of the Christian Church all the world over." This is very misleading, as at that period we have no proof of uniformity of government in the Christian Church. It was simply beset with controversy regarding both its doctrine and government.

It is extremely probable, if not certain, that Columba, who cannot be proved to have had any connection with Rome, notwithstanding the persistent and ingenious statements of some writers, formulated his own rules for the government of the Church which he founded. We must bear in mind that the Episcopal Church was

<sup>1</sup> Spottiswoode's Miscellany.



not in existence at that date. It was founded at Canterbury in 595, after Columba's time, and was at that period in full communion with the Church of Rome. The Celtic Church of Columba was a missionary church, not a diocesan but monastic, with an abbot, who was a presbyter (not a bishop), for its head. . . . Most of his time was devoted to the administration of the monastery at Iona, and to the planting of other churches and religious houses in the neighbouring isles and mainland.<sup>1</sup>

Bede, who wrote in the eighth century, says: "In the year 634, when Segenius was abbot, Aidan was consecrated at Iona, and sent to be bishop of Holy Island." He was succeeded there by Fernen and others, all clothed with the Episcopal character, and receiving that character from the monastery of Iona. At Iona there was always a resident bishop for exercising the Episcopal function. Bede was educated at Rome, and in England, when he returned, was made a bishop. Chalmers, in his turn, informs us that Columba and his disciples travelled for purposes of instruction through every part of the British territories. They established monasteries in every district of Caledonian territory.

The Columban Church was in reality a mission from the Irish Church, forming an integral part of that Church, with which it never lost its connection. We ought not to expect that in character it differed materially from that Church. It was essentially a monastic Church without territorial Episcopacy or Presbyterian parity. Its

<sup>1</sup> Encyclopædia Britannica.



doctrines in no respect differed from those of the Church in Ireland. The Columban Church according to Columbanus received nought but the doctrine of the Evangelists and Apostles. Whether it was governed by a bishop is a question that will probably never be finally determined. So far as we can discover, we don't think it was.

Columba seems to have been mainly engaged in spreading the truth among the Pictish tribes for nine years after the conversion of King Brude, when he appears to have at length attained the primary object of his mission and visited Glenurquhart and Skye. King Brude died in 584, and his successor in the Pictish throne, Gartnaidh, had his royal residence at Abernethy, in the neighbourhood of Perth. He built the Church of Abernethy. He was called the Supreme King of the Tay, and of the tribes above the Tay, the people whom Columba taught. For some months in the latter part of his life he was resident in Ireland. Of the monasteries which were founded in the Pictish territories by Columba, Adamnan gives us no account, nor does he mention any by name. The Book of Deer shows that these foundations extended as far as the Eastern Seas. (This would include Perth.) A few of Columba's other foundations in western districts and islands can be traced by their dedication to him. Adamnan tells us that he founded monasteries within the territories both of the Picts and Scots, and that he was the head of the Christian Church in Scotland.

The Abbacies of Dull and Glendochart were founded in the seventh century, and their territory comprised the entire districts of Atholl, Strathearn,

Madderty, and Crieff. The Monastery of Dull becoming secularised in the time of Abbot Crinan, the possessions descended to the Royal line, but were gradually broken up. Glenlyon, Fortingall, and Rannoch had all the parts of the Abthannerie. In 1455 the gross rental of Glenlyon was £33 6s. 8d.; of Fortingall, £16; of Rannoch, £18 6s. 8d.; of Methven (Strathearn), £120 8s. 4d. The accounts of 1373 inform us that the rents of Dull had been uplifted by Alexander Stewart, the "Wolf of Badenoch." Kinclaven, near Perth, was in early times Crown property, with a castle alluded to in the Exchequer Accounts of the reign of Alexander II. It was granted by Robert II. in 1383 to John Stewart, his illegitimate son. At what date it again reverted to the Crown does not appear.<sup>1</sup>

In the seventh and eighth centuries the Scottish people used chariots, and manufactured swords and other weapons, probably those articles of bronze so commonly dug up in the west of Scotland. They used cloaks of variegated colours, of home manufacture; and fine linen, which must have been of foreign production. The bodies of the dead of high rank were wrapped in it. In the earliest churches there were bells, but only hand bells. They had boats or coracles of leather in the rivers, and galleys built of oak and carrying sail.<sup>2</sup>

In 802 Iona, which is said to have been presented to Columba by the Picts, was burned by the Danes, and the little community, numbering sixty-four monks, brutally slain. This catastrophe led to a resolution to remove to a safer locality, and Dunkeld was fixed on as the new site. The first church

<sup>1</sup> Exchequer Rolls.

<sup>2</sup> Cosmo Innes.

there was founded by Constantine II., King of the Picts, in 814, or twelve years after the burning of Iona and fully two centuries after the foundation of Abernethy, which is recorded as in 588.

The geology of Perth offers some remarkable features to a student of science. It would appear from a well-informed local writer<sup>1</sup> that Kinnoull Hill had at one period been connected with the Hill of St. Magdalene, and that the disjunction which now exists has been gradually effected by the operation of water and other natural causes. Large masses of conglomerate completely detached from other rocks are to be found in the bed of the Tay between Orchardneuk and Friarton, the very position which they ought to occupy had a process of disintegration taken place. Without that supposition no satisfactory hypothesis can explain how these rocks came to occupy their present situation. The subsoil in every direction round Perth exhibits the most undoubted evidence that it had been exposed to the action of water. Much of it consisting of gravel, sand, etc., could only have been reduced to its present state by water. In many places the remains of trees and other vegetable productions have been found at a great depth below its surface, but probably 20 or 30 feet above the level of the Tay. Of this fact we have an example at Friarton, where trunks of large trees have been seen to protrude from the bed of clay which there forms the bank of the river. A careful examination of the superincumbent soil leaves no doubt that it had been deposited over the organic remains which it

<sup>1</sup> Dr. Anderson.

envelops by the action of water, a fact which is sufficient to prove that the Tay must at one period have been at least 30 feet higher than its present level. A barrier of 300 feet high running across the river between the hills of Kinnoull and St. Magdalene would have been sufficient to cause the waters of the lake, to which they gave birth, to flow down the valley of Strathmore and discharge into the sea at Lunan Bay. It is a curious fact that we find along the route, which the waters of the Tay must have pursued, the remains of a great river in a chain of lochs which stretch between Forfar and the point at the coast which is its probable embouchure, while in the intermediate districts lying between these lochs there is abundance of gravel and other water-worn materials to attest the former operations of a river.







THE ANCIENT CHURCH OF ST. JOHN (SHOWING HALKERSTON TOWER).  
*This is believed to be the Pre-Reformation Building, afterwards surmounted by a wooden spire.*



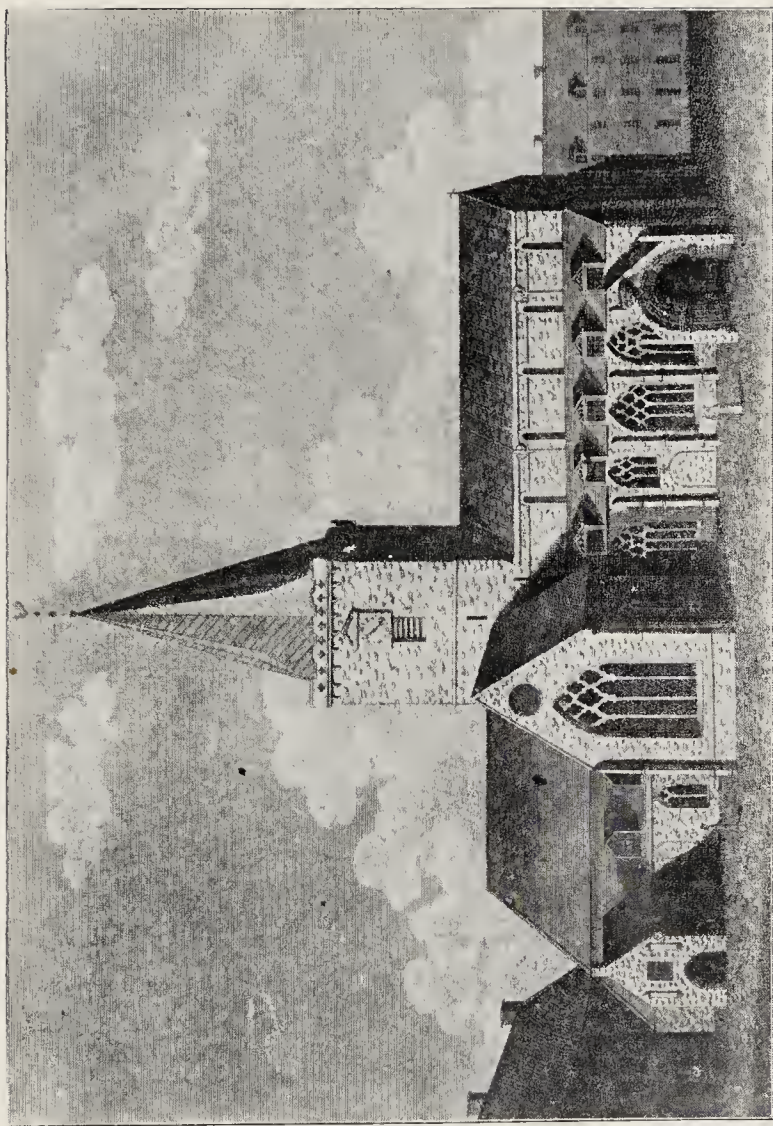
## CHAPTER II.

The Ancient Church of St. John—Foundation and Early History—The Cutty Stool, Knox's Pulpit, and the Royal Pew—Edward I. celebrates there the Feast of the Nativity of St. John—Edward III. assassinates his brother before the Altar—Tombs of James I. and the Gowries—Charter from the Monastery of Dunfermline granting the Town permission for interments—Confirmation of this Charter by the Prior and Bishop of St. Andrews—The Town in 1475 in trouble respecting a Chaplain for the Altar of the Virgin Mary—Ordinance issued to the Provost and Magistrates by the Cathedral Church of St. Andrews—The Incorporated Trades seat the Church—Strange Marriage Customs adopted—The ancient Bells of St. John's, and their remarkable Inscriptions—History of the Communion Cups—The forty Catholic Altars which adorned the interior, with Names of Founders.

THE greatest of our ancient monuments is undoubtedly the Church of St. John. Unfortunately, the history of its foundation is very imperfectly known, but the people of Perth are proud of having in their midst so great a relic of antiquity, and one so closely identified with the dawn of Christianity, and with all the ecclesiastical questions and ecclesiastical struggles and conventions of the early and middle ages. These eventually culminated in the Reformation, when Knox and the reformers made the Church of St. John a great landmark in that memorable movement, and permanently expelled the Catholics from the venerable edifice. St. John's at first was doubtless constructed of wood. That period would

probably be the end of the sixth century, when the Picts, on their conversion by Columba, discontinued, it is supposed, their worship in the Pagan temple, and erected an edifice for the new religion. This great event in the life of the native races heralded the introduction of what is known as the Columban or Celtic Church. The difference between the latter and the Roman Church related chiefly to the keeping of Easter and the tonsure, subjects of great controversy in early times. A striking characteristic of the Celtic Church appears to have been its monastic force. The land was held at that period for sacred purposes by a number of fortresses or garrisons, of which fact we are reminded by the rampart circled monasteries.<sup>1</sup> There is no evidence of the Celtic Church entertaining in a definite manner any doctrine differing from the prevailing faith of western Christendom as then constituted. Anglo-Saxons, again, on the eastern shores of Scotland were also Pagan. Pagan influence was in the highest degree hurtful to Christianity, and it was not till the arrival of St. Kentigern at Scone that the churches were released from that influence. The Columban Church remained the church of the Pictish kingdom till 717 A.D. when it was superseded by a church of a different character, and the Columban clergy driven out, while clergy of a different type replaced them. The Church of St. Andrews, as a Catholic Church, was founded, it is supposed, in 736 A.D., and we are informed that the Scottish Church again acquired its

<sup>1</sup> Dowden's Celtic Church in Scotland.



To face 38

ST. JOHN'S CHURCH, 1774



supremacy in the reign of Constantine III. (863-879). This ruler removed the ecclesiastical See from Dunkeld to St. Andrews. Later on, after the accession of Malcolm Canmore, the Roman Catholic religion—by order of Queen Margaret—became paramount, and the service in St. John's Church would then conform to that of the Church of Rome. This lady was in her day a very prominent figure, a pious woman, and a great ecclesiastic. Her son, David I., became a monk, and spent his life in building churches and granting charters all over Scotland. That he built St. John's as a stone building, as some writers say,<sup>1</sup> is, we think, doubtful, but it is very probable he substantially repaired it. In his day it is said to have been larger than the Columban Church which it replaced, but much less in size than the present building. The matter of the first stone building is of considerable importance. We have no actual knowledge as to who was the builder, as the information is not recorded, but it must have been stone built during the 200 years that intervened between Kenneth M'Alpine and Malcolm Canmore. From Columba's time to the reign of Malcolm Canmore in 1057, a period of three and a half centuries, there is no recorded evidence that the people were much bent on religion or that they gave much attention to it. It was essentially a warlike and troublous period, including the lawless times of King Duncan and Macbeth, the Danish pirates, and the sieges of Perth by the Danes, so that the little Columban Church in these circumstances would serve all requirements. Queen

<sup>1</sup> Stevenson.



Margaret, from all accounts, was a generous lady, and it is most likely that she, rather than her son King David, removed the Columban Church and substituted a stone building in its place. In support of this we find that she also built Dunfermline Abbey, and was unstinted in the money she spent on that edifice. As a Catholic, she was a lavish patron of St. John's Church, and contributed much to its internal arrangements and general comfort. After the year 1126, when the property of St. John's Church and titles had been given to the Abbey of Dunfermline by King David, no great care was taken of the fabric; the monks endeavoured to throw the burden of its maintenance on the town, and the town upon the monks. For centuries after its erection it was the only place of public worship in Perth. The services in pre-Reformation times are stated to have been six every twenty-four hours—three between sunset and sunrise, and three during the day. The chief service was at sunset, which was the beginning of the day—the day thus being reckoned from sunset to sunset.<sup>1</sup> The audience knelt at all the services, except the Communion on Sunday, and at that they stood. They also stood during the paschal season, Easter to Whitsunday. St. John's Church, as it stands, is of various dates, and has undergone many changes and renovations. The square tower is now almost the only remaining part of the old or early structure. The wooden spire on the top is modern. The edifice, at the beginning of the thirteenth century, was large, and of moderate architectural pretensions. The cutty stool, or stool of repentance, stood in the

<sup>1</sup> Stevenson.





ST. JOHN'S CHURCH BEFORE THE REFORMATION

*(Specially drawn and engraved for Mr. Coquair's "Ancient Capital of Scotland")*



present East Church, while John Knox's pulpit was in the West Church. The Middle Church of to-day contained the pew called the King's seat. Opposite to it, in the small gallery, was the Magistrates' seat. In 1296, Edward I. of England was a worshipper in St. John's on the occasion of the feast of the nativity of St. John, in the summer of that year. Orders were given some years after by Robert Bruce for the restoration of the fabric with stones from Kincarrathie. These repairs were only partially executed, and the order became a dead letter at his death in 1329. The building, at that date, is said to have been suffering severely for want of repair. In 1336, St. John's witnessed a great tragedy. Edward III. of England slew his brother John, Earl of Cornwall, before the high altar, for his despotic conduct in burning and laying waste large tracts of country in England.

The east division of St. John's contains the tombstone of James I. and his Queen, removed from the Carthusian monastery, and it also has a Gothic stained-glass window of great beauty. The pious gifts to St. John's during the fifteenth century were very lavish. The first of the new altars founded was that of St. Ninian, by Robert Brown, burgess in 1401. St. John's contained eventually forty altars, all more or less endowed, of which we give a list. There was a tabernacle connected with the Order of St. Bartholomew in the choir, while the high altar of the church is said to have been a beautiful work of art. The church was also adorned with paintings of Scripture scenes. The choir was built in 1440 by special arrangement with the Abbot and Council of St. Andrews, and St. John's was then open from

end to end, and was, indeed, a spacious church. There was an organ in it at that period, which evidently disappeared at the Reformation. The Magistrates appointed the organist and paid the salary. In 1511, George Duncan was appointed Parish Clerk, and was bound to employ sufficient persons to sing and play the organ during divine service, and to find strings and cords for the bells. The north-east corner of the choir was the burying-place of the Gowrie family. William, first Earl of Gowrie, beheaded for the Raid of Ruthven, was buried here, and in all probability his two sons, who fell at the Gowrie Conspiracy. In 1637, Lady Stormont paid the Hospital £100 for the privilege of burying her mother beside the tomb of the Gowries in St. John's Church. Two years afterwards, Lady Stormont died, and was also buried beside the Gowries, £100 being again paid. Up to the Reformation, there were no pews, and the floor was paved with gravestones, interments in church being a custom of the time. From 1560 to 1595 the church and parish had two ministers. From 1595 to 1716 the west division, which had been divided from the rest of the building by a partition wall, was ordered to be seated, and a third minister was appointed by the Magistrates.

In 1440 there is a letter from the Prior and Chapter of St. Andrews in favour of the town of Perth ratifying an agreement between the Prior and community of Perth, conferring on the town the exclusive right of burial in the choir of the church, in respect of their having built and maintained a new choir and vestibule. There is also a letter bestowing on the town the exclusive right of burial in the nave

and without the choir. In the same year the Abbot of Dunfermline made over to Patrick Charteris, Provost of Perth, and Council, for a period of six years, the church and revenues thereof, for 200 merks and 50 merks yearly. Under the whole area of the church townspeople were allowed to be buried, but this practice was, so far, discontinued at the Reformation. The matter will be better understood by a perusal of the deeds referred to, which are as follows, and which have been specially translated for this work :—

To all to whose notice these present letters shall come Andrew by divine permission, Abbot of the Monastery of Dunfermline and Convent wisheth salvation in the Lord. Know ye that we are bound and by the tenor of these presents do faithfully oblige ourselves to pay 200 merks Scots to the provost, bailies and community of Perth, because they have undertaken the building and maintenance of the choir and vestibule of the parish church of Perth and of the books, chalices, vestments, and other ornaments belonging to the choir and the real altar, and they shall discharge the same to us for payment at the underwritten terms, viz.—at Martinmas immediately after the date hereof 25 merks; at Whitsunday there after, other 25 merks, and so continuing from year to year and term to term until the said 200 merks are fully paid. Further, we the said Abbot and Convent with one consent and assent set in lease to the provost bailies and community of Perth the said parish church of Perth with all fruits revenues and profits thereto by law or by the laudable custom of this realm belonging, for six years immediately after the expiry of the lease thereof granted by us to Christian of Dunning and Robert Harrower and that for payment to us of fifty merks Scots yearly at the usual terms, and also paying yearly to the vicar who shall be for the time thirty-five merks with wine bread and wax as was due to him by them during the term of this lease. And for the payment of the 200 merks foresaid they faithfully



bind themselves and their successors, also the lands and possessions whatsoever with the rents and revenues and of all their churches and their goods moveable and immoveable, ecclesiastical and secular wherever they may be found for the security of the said payment, and agree that they may be distrained and dealt with without the licence of any spiritual or civil judge by the said provost, bailies and community until they receive satisfaction thereof and of their expenses and damages, any canon or civil law to the contrary notwithstanding, and notwithstanding also that the said provost, bailies and community have already granted their sealed acquittance to them for the said sum. In testimony whereof the seal of the chapter is hereto appended at the aforesaid monastery on 16th June 1440.

Letters by James [Haldenston] Prior of the Cathedral Church of St. Andrews and vicar-general of the same, the Bishop being in foreign parts, also the Chapter, ratifying the following: (1) An Indenture made at Dunfermline 20 May 1440, between the venerable and religious man Andrew Abbot of the monastery of Dunfermline and the convent of that place, on the one part, and Patrick Charteris provost of Perth, the bailies and community of the same on the other part, purports in itself that the provost bailies and community of said burgh at their own cost shall build wholly and of new the choir and vestibule of the parish church of Perth as may seem most pleasing and honourable to them; and after they have built the same they shall maintain it for ever in all and sundry repairs namely the roof, walls, windows, doors, glazing, pavement, also in books, caps, cups, and all and sundry vestments and ornaments relating to the choir and altar, so that they may relieve the monastery for ever of such, except however that the community shall not be burdened in wine, bread and wax for ever, but only for that time for which the community shall have the church rented to it: moreover for the expenses, building repair and upkeep, the Abbot and convent shall freely give to the community the old choir, the books cups and ornaments found therein at



the time of this contract, with the vestibule, shrines and chests being there, meanwhile the Abbot and convent have freely and for ever granted to the community and their successors, to support such burdens, the interments within the new choir with the profits arising from such so that within the choir no body shall be interred without consent of the community and it shall for ever receive the emoluments for the interments to be made within the choir as it has received up till now for the nave of the church and outside the choir, saving however to the Abbot and convent other funeral rites beyond the time of the lease: And also the Abbot and convent have unanimously granted, leased and rented to the community the said church with all and sundry its fruits, offerings, profits and emoluments happening or which in any way may happen by right or praiseworthy custom about the vicarage and rectory of the church of Perth, for the space of six years following the lease of said church otherwise made to Christian of Dunning and Robert Harrower. The community for each of the six years shall pay to the Abbot and convent 50 marks usual money of Scotland at the usual terms, Martinmas and Whitsunday by equal portions, with the burdens and expenses which Christian and Robert are in their lease bound to do or to keep up, namely 35 merks to the Vicar who shall be for the time for his pension, with wine bread and wax, in so far as is incumbent on the Abbot and Convent during the lease. . . . And that the premises may be faithfully fulfilled the said community shall at their own expense cause the present agreement to be confirmed by the ordinary authority, or if the ordinary shall refuse, the community shall pay half the cost and the Abbot and Convent the remainder to obtain apostolical [Papal] confirmation. (2) The prior recites a letter by the same Andrew Abbot of Dunfermline and his convent, acknowledging that they have made the foregoing grant of the burials within the choir of the parish church of Perth; and that their free gift may in all time be inviolably observed if it happen that the Abbot and Convent and their successors impugn the present grant or

disturb the provost, bailies and community or their successors or hinder their receipt of emoluments from the bodies interred or buried in the choir or the church, they wish that the community, etc., may receive yearly 5 merks from the fruits of the Church of Perth along with the profits of burials, etc., which 5 merks the Abbot and Convent out of pure liberality grant at present for supporting more readily the burdens of the church falling to the community, all privilege statute or custom to the contrary notwithstanding, saving however to the Abbot and Convent all funeral rites arising from deaths or funeral ceremonies. Given at the monastery 9 June, 1440.

In 1475 the Provost and Magistrates, who evidently had a right to present a chaplain to one of the altars in St. John's Church, that of the Virgin Mary, a lucrative appointment, as these chaplains got many gifts from pious people, experienced great trouble in connection with the nomination. The matter was dealt with by the Sub-Prior of St. Andrews in the following manner:

To all the sons of holy mother church to whose knowledge these presents may come Robert Hyndmarsh, licentiate of sacred theology, subprior of the Cathedral Church of St. Andrews and one of the vicars-general elected by the chapter of the said church, with his colleague wisheth salvation in the Redeemer of all. Know ye that we being required to deal with a certain cause anent the presentation of a chaplain to an altar founded in the parish church of Perth in honour of the blessed Mary of Piety between the honourable and prudent men, Sir William Charteris, Sir Alexander Scharpe, chaplain, and William Morton on the one part, and the provost bailies and councillors of Perth, on the other part, and the merits of the case having been fully discussed before us have given our sentence thereupon, as follows:—We, Robert Hyndmarsh (etc., as above) sitting in tribunal in a certain cause of presentation

of a chaplain (etc., as above) in which Sir William Charteris, Sir Alexander Scharpe, chaplain and William Morton appeared as pursuers against the provost, bailies and council of Perth as defenders: and parties having been heard, and the rights seen and discussed *limc inde*, find and declare that, so far as we have seen or has been shown to us, the chaplain presented by the said provost and magistrates to the Virgin Mary of Piety within the Church of Perth, and admitted by the vicar of the Church, as also the presentation of the same, are in all respects valid, notwithstanding the collation made by us to the said Sir Alexander Scharpe upon the sinister information of him and his accomplices, because we were informed that the presentation to the altar was not vacant for four months or more, through the non-presentation of a chaplain after the death of Sir Thomas Stevenson, last possessor thereof. He was presented by the said provost and magistrates, received by the vicar, and admitted to the altar, which altar, in terms of its foundation, does not require other collation, and it was clearly shown that the presentation was made within nine days after the death of the said Sir Thomas, and thus did not vacate, and our collation granted upon the sinister information becomes null. Which, therefore, we cass and annul and decern the said William and his partakers in the expenses of this action, as they shall be judicially taxed. This was done in the Cathedral Church of St Andrews, before the altar of the Virgin Mary, being the place of the sitting of the tribunal, and judgment was entered at the instance of Mr. David Fyvie, procurator for the said provost and magistrates, against the pursuers aforesaid, and all others having interest. In testimony whereof the said judge orders his seal as vicar-general to be appended; dated at St. Andrews, 24th August, 1475.

In 1580, or twenty years after the Reformation, the seating of the church was ordered to be done. It seems to have been suggested that the church ought to a considerable extent to be seated by the

Incorporated Trades, if each were allotted a certain portion of the area. In 1582 the Session ordained Oliver Peebles, a prominent citizen, to ascertain from the Deacons of Crafts if they would build seats for themselves in the Kirk ; failing which, he was to assure them that he would give license to other honest men to do so. The Incorporated Trades agreed, and by this means the Kirk was seated.

It would appear, however, that the Kirk-Session in 1588 ordained interments in St. John's to be stopped ; but these continued in spite of this order until the middle of the following century. The Parsonage House stood on the south side of the church at the north end of the Flesh Vennel, on the site occupied by the City Hall Tavern. The burying-ground was surrounded by a wall. The Revestry stood at the north side of the choir with which it had a door of communication. The priests kept their vestments there. After the Reformation it became the session house, and it was afterwards taken down and another session house built. Mr. John Dow officiated in St. John's after the Reformation, and in the absence of pews, stools and chairs were in use. Every person provided his own seat, while the Crafts supplied candles to light the building. It is recorded that in 1637, at a meeting in the Greyfriars' burying-ground, there was collected from the audience £10 10s. to buy two chandeliers for holding the candles in winter in the Crafts' seats, the same to belong in perpetuity to the Hammermen. It is noticeable, however, that all discipline in the Church had by 1715 passed out of the hands of the Incorporations.



There was an old inscription on the first pillar of the church next the south door at the capital, partly in letters and partly in hieroglyphics. Though there is no date in any part of the church, there was a date on one of the beams of the steeple when repaired. The church has always been Christian, and never was a temple dedicated to Mars, as some writers insinuate, by the Romans under Agricola.<sup>1</sup>

At this period, it was the custom for marriages to be solemnised in the church on Sunday morning. The Session exercised the right of inquiring into the religious knowledge of those about to be married, and postponed the ceremony in the case of those found grossly ignorant, until they should be better informed. On 7th July, 1578, it was announced that the minister and elders, "perceiving that those about to be married were almost altogether ignorant and misknow the causes why they should marry, therefore, the Assembly ordain all such persons to compeer before the reader for the time, that he may instruct them in the true cause of marriage, before they appear before the Assembly."<sup>2</sup>

The Kirk Session was evidently compelled to adopt the expedient contained in the following extract, in order to get some money: "Perth, June 27, 1586—The minister and elders, perceiving the ruinous state of the kirk, and the great delay that will follow thereon, unanimously ordain the minister to omit his ordinary text, and desire him earnestly to devote some other portion of Scripture which he would think more able and meet to move the hearts of the people, and specially the bailies and magistrates bearing

<sup>1</sup> Dr. Adam Drummond.

<sup>2</sup> Kirk Session Records.



rule and authority in the burgh: in order to provide that the kirk, with all diligence, may be repaired and mended in all honest and decent form." When monasteries began to be built in Perth in the reign of Alexander II., the zeal of the people was diverted from the concerns of the Parish Church. We are informed<sup>1</sup> that the inhabitants at that time were regular churchgoers, and that the better classes lived genteelly, and did not exceed their incomes. They set a good example to others by their regular attendance at church. The craftsmen were distinguished by a strict regard for religion, and for the excellent training of their children in good principles and practices.

#### THE BELLS OF ST. JOHN'S CHURCH.

The earliest detailed account of the bells of St. John's is entered in a report of the "Visitatione about the Steepell and Bellis" entered in the city records under the date 21st March, 1652. Four separate bells are there described, in addition to a set of seven hour-bells, viz., one bell for the "hail" hour and six for the "haff" hour, dating from the year 1526. The oldest of all is the "skelloche littil" bell of the year 1400, of which mention is made in the Kirk-Session Records of 6th October, 1578, and which, after various adventures, is once more the property of the church. No date appears on the "Curfew Bell," which was rung at "eight at even." The two bells named in the "Visitation"—the "Preaching Bell" and the "Common Bell"—were cast in 1506 and 1526 respectively, in the foundry of the Maghen family at Mechlin in Flanders, and bear characteristic inscriptions.

<sup>1</sup> Scott.

*Inscription on the Preaching Bell, in rhymed Latin :—*

“PAX.  
Joannes Baptista vocor. Ego  
Vox clamantis in Deserto.  
Mecklini Petrus Maghenus me formavit.  
Sic benedictus qui cuncta creavit.  
MccccVI.”

*Translation :—*“Peace. John Baptist I am named  
I am the voice of one crying in the wilderness.  
Peter Maghen made me at Mechlin.  
So blessed be he who created all things. 1506.”

*Inscription on the Common Bell :—*

“Joannes Baptista vocor : nos autem gloriari  
opportet in cruce Domini nostri Jhesu Christi,  
anno domini 1526.  
Facta sum Mecklini per Georg. Maghen.  
Ego vox clamantis in deserto : Parate viam  
Domini.”

*Translation :—*“John Baptist I am named. But it  
is necessary for us to glory in the cross of  
our Lord Jesus Christ, A.D. 1526.  
I was made by George Maghen at Mechlin.  
I am the voice of one crying in the wilderness :  
Prepare the way of the Lord.”

The description of the hour-bells in the “Visitation” Report is confused, and in part unintelligible. All the bells, it seems to say, had a Latin inscription which ended with the words of St. Luke ii. 42, thus :

“Ave Maria. Benedicta tu inter mulieres  
Et benedictus sit fructus ventris tui.”

*Translation :—*“Hail, Mary. Blessed art thou among women, and blessed be the fruit of thy womb.”

For further information regarding these bells, and others which were added later, the reader is referred to Fittis’ “Ecclesiastical Annals of Perth,” pp. 42 ff.

We hear very little of St. John's Church for a time. Then we find that in a petition to the magistrates by the Kirk Session, dated 15th December, 1763, it is stated that two places of worship might be made by dividing the old church into two, and carrying up a partition wall on the arch where the pulpit and the King's loft were situated. In 1771 the Kirk Session minute detailing the arrangements for the Communion speaks of the elders who are to officiate in the old church and the new church, *i.e.*, the West Church, and in the minute of the following year the three churches are denominated as the Middle Church, the New Church, and the East Church. At the division of the parish of Perth into four parishes, the church plate and furniture belonging to the old Kirk of Perth were retained in the Middle Church, St. John's Church being situated in the middle parish.

Considerable interest attaches to the Communion Cups of St. John's. Historically the most interesting of the four is that known as QUEEN MARY'S CUP. An undying interest is associated with the name of the Scottish Queen. It is not surprising, therefore, that this cup, which tradition affirms to be a gift from Queen Mary, should be regarded with such feelings of veneration, and should be preserved with such scrupulous care. The tradition as to its origin does not rest, so far as can be ascertained, upon any documentary evidence, and when the name of Queen Mary came to be first associated with it, it is impossible to determine. But, for some generations at least, the story has been told of its having been gifted by one of the Popes to Queen Mary, and then pre-

sented by her to the Kirk of Perth. Tradition has also preserved the story of its loss, its preservation, and restoration. In the riots which ensued on the 11th May, 1559, when the churches were wrecked and their altars destroyed, it is said to have been thrown into the street, and to have been picked up by a woman, who concealed it in her father's grave, and who afterwards, in more peaceful times, returned it to the now Reformed Church. Its workmanship has been also attributed to the renowned Italian goldsmith of the sixteenth century, Benvenuto Cellini. The Kirk Session appear to have had Communion Cups in their possession in 1587. In the minutes of Kirk Session in that year, "the order to be observit at the table" contains the names of four elders to "convoy the cuipis," and four "deakyns" to "fill the cuipis," from which reference it is to be inferred that four cups were possessed at that date. In a minute of Kirk Session, of date 21st May, 1632, mention is made of two silver over-gilt goblets with gold, with the covers and two basins pertaining to the Session.

THE NUREMBERG CUP.—"Height with cover,  $14\frac{3}{4}$  inches; diameter of body,  $4\frac{3}{8}$  inches; diameter of foot, 4 inches. Inscription round the rim, 'For the Kirk of Perth.'" This cup bears the Nuremberg mark, having stamped on it the letters N HB. There is no evidence to show when it came into the possession of the Church at Perth. By some authorities it is believed to be the oldest of the four. St. John's possesses other two beautiful cups of English manufacture. They bear the London hall-marks of 1610-11 and 1611-12.

## ALTARS IN ST. JOHN'S CHURCH.

One of the most striking features of St. John's Church in the middle ages was its abundance of altars. Upwards of forty, all endowed and expensively ornamented, adorned the interior of the building before the Reformation; and these seem to have been all, or almost all, demolished. At the beginning of the fifteenth century considerable repairs were executed, involving the removal of altars existing at that date, excepting the High Altar dedicated to St. John the Baptist. The altars referred to were doubtless erected after this renovation; and from the following list will be observed their nature, objects, and endowments. It is noticeable that the chaplains of these altars were all knights, and presumably men of position in the realm.

*The High Altar of St. John the Baptist.*—This was the main or principal altar, and would be the property of the church. The Town Council had an altar in their representative capacity, but very little is recorded about it. The Master of Works in 1510 was ordered to "keep and take care of the vestments, books, chalices, and all other ornaments of the town pertaining to the altar." By the will of Sir Simon Young it was endowed with a stipend of £13 5s. 4d. out of certain tenements in the town in Watergate, South Street, and Castle Gable.

*The Guildry Altar, the Altar of Holy Rood or Holy Blood.*—This was one of the oldest, and was founded, so far as can be ascertained, in 1429. Amongst the endowments was one from Sir John Spens, burgess of Perth, of £2 3s. 4d. per annum for a weekly mass and for the maintenance of a lamp. Spens belonged to an old Perth family, some of whom had consecutively been burgesses during the whole of the previous hundred years. In 1369 Lawrence Spens was Provost, while John, who endowed this altar, was in the fifteenth century three times elected Provost. At this altar mass was to be sung every Friday by five chaplains, and the lamp was to be perpetually maintained suspended before the altar and directly over the grave in the Middle Church where his father and mother were interred. This altar was also endowed by certain dues levied by the



Guildry on merchant goods and on new members of the Incorporation. The Guild-book contained an edict by the Dean and merchants of Perth as to the payment by strangers of £4 to this altar. There was also a tax for the altar of £4 on all who were called "unfreemen." The patronage of this altar was vested in the Dean of Guild, Provost, and Council. The book of the Guildry, 15th November, 1504, records an ordinance there every Thursday at 9 a.m. When they hear the bells ring, all "Guild brethren convene and foregather, and follow the exercise through the kirk, and hear the said mass under the penalty of a penny to the altar of the Holy Blood." On 4th September, 1512, there was an allocation from the funds of the monks (£4 15s.) to Sir Andrew Elder, the chaplain, for the purchase of vestments for the celebration of divine service.

*The Glovers' Altar, the Altar of St. Bartholomew.*—This was the patron saint of the glovers. They gave it grants of money and maintained the altar, which was said to be one of the richest of the many shrines within the church of St. John. It was substantially endowed by local families.

*The Hammermen Altar, the Altar of St. Elegius.*—Andrew Love, goldsmith, granted certain tenements for the endowment of a chaplain to celebrate mass at this altar. This altar, at which some relic of the saint seems to have been kept, was under the care of the Hammermen, who collected the revenue and paid the salary of the chaplain.

*The Altar of St. Peter—the Altar of the Flesher Incorporation.*—Founded 1503. John and David Rattray granted to this altar £1 6s. 8d. annually. Sir John Matheson was chaplain in 1532. For supporting the altar, a tax of a penny was levied on all slaughtered cattle, which was regularly exacted until abolished by the Town Council. In 1824, Sir John Tyrie, Provost of the Church of Methven, granted 10s. annually out of a tenement in the Kirkgate to the chaplain of this altar.

*Altar of S.S. Ducham and Crispin, or Shoemakers' Altar.*—Sir Robert Keillor, chaplain, gave to this altar a tenement in South Street. A portion of the Leonard lands on the east side of the Long Causeway, also belonged to it.

*Altar of Severus, or Weavers' Altar.*—Robert Clark, burgess of Perth, founded this altar, and endowed it with annual rents amounting to £5 6s. 8d., ordaining the Weaver Incorporation to be patrons. This grant was confirmed by the Archbishop of St. Andrews.

*Altar of St. Ninian's.*—Robert Brown, burgess of Perth, founded this altar, and provided 10 merks annually, or £4 15s., with two booths or shops in High Street, to the chaplain. Sir William Ramsay, another chaplain, provided 28s. per annum also from property in High Street.

*Altar of St. Nicholas.*—This was founded by Sir John Spens in 1428 with an annual endowment of £7 5s. Scots, to be supplemented with the advice of the Aldermen and Council of the burgh. There was also an endowment by James Fenton,

vicar of Tibbermore, and precentor of Dunkeld, for the welfare of the soul of his relative, Janet Fenton, and of the souls of his other relatives. The endowment was £12 Scots, derived from property on the east side of Watergate, and by Sir Patrick Young, chaplain, from property in South Street.

*Altar of St. Mungo or St. Kentigern.*—Founded in 1523 by James Fenton, precentor of Dunkeld, and endowed with a tenement purchased by him in the south side of South Street, with an annual rent of £9 6s. 8d. Fenton also founded two chaplaincies in St. John's, at the altar of Mary of Consolation, where he made a table, benches, and ceiling, all of handsome carved work.

*Altar of St. Bride or St. Bridget.*—This was founded in 1523 also by James Fenton. The patronage was to be exercised by the founder during his lifetime, and ultimately by the Prior and Convent of the Charterhouse. It was endowed with the entire booth or shop on the west side of the Castle Gable, and £7 13s. 4d. out of certain tenements in town.

*Altar of St. Blaise or St. Blasius.*—Founded by Andrew Cavers, Abbot of Lindores, in 1490, for the repose of the souls of the abbots, his predecessors, his own soul, and those of his relatives. It was on the north side of the choir. It was endowed with £10 15s. Scots annually, out of his property, held by the Abbey of Perth, the largest portion coming from a croft at Earls' Dykes.

*Altar of the Virgin Mary.*—Alan Martin, burgess of Perth, founded this altar, and endowed it with the lands of Ardonachy, a share in the mills of Auchtergaven, and certain tenements in Perth, amounting in all to £100, and Andrew Christison, chaplain, endowed it with a tenement belonging to a chaplainry on the north side of High Street.

*Altar of St. Michael the Archangel.*—Founded in 1441 by Richard Crieck, rector of the Church of Errol and prior of the Carthusians *pro tem.* His executors having lent David Fleming, burgess of Perth, £28, Fleming granted to the altar an annual rent of £2 from a tenement in High Street, to be paid till the loan was liquidated. Sir John Tyrie, of Methven, founded a chaplaincy to St. Joseph at the altar of St. Michael, endowing it out of his property in the town of Perth.

*Altar of St. Lawrence.*—Founded 1544. This altar was founded by Friar John of Bute, who founded three altars in St. John's Church, and endowed them.

*Altar of St. John the Evangelist.*—This was also founded by John of Bute, in 1448, and endowed with a stipend of £10 6s. 8d., and he got also from Robert of Ireland, William de Craig, and Christian de Hatton, 13s. 4d., £1 4s., and 13s. respectively.

*Altar of St. Sebastian.*—This also was founded—1457—by John of Bute, who endowed it with a stipend of £10 5s. 4d. He also provided a lamp to hang before the saint, and to be lighted at same time as St. Lawrence. Helen Gowans granted to it a tenement of land and books at the west side of Kirkgate,

yielding 13s. 4d. annually. There was also given by the magistrates a sasine in favour of Sir George Sanders, chaplain of a tenement in High Street, belonging to Alexander Langlands, in default of payment of the rent of it.

*Altar of St. Stephen.*—The founder of this altar was Sir Simon Bayne. It was partly endowed with the tenements in the Castle Gable and Kinnoull Causeway, yielding 20s. annually to Sir Simon Bayne, the chaplain. Founded 1471.

*Altar of St. Clement.*—This altar was founded by John Bunch, burgess and magistrate of Perth—1454—and endowed it with the annual stipend of £10. It was also endowed with a tenement of David Bothwell in South Street; also by the magistrates for Sir Laurence Oliphant, chaplain, with a tenement in High Street.

*Altar of the Presentation of the Virgin.*—This altar was founded in 1491 by Robert Chalmers, burgess of Perth, and was in the south transept of St. Andrew's aisle. It was endowed from property in the north-east corner of the Kirkgate.

*Altar of St. Salvador.*—This altar was founded in 1491 but we are not informed by whom. It would appear that Alexander Scott, presumably a burgess of Perth, gifted to Sir Patrick Rae, the chaplain, a tenement in the south-east corner of the Meal Vennel.

*Altar of St. Adamnan.*—The founder unknown. In 1549 a charter was granted by Sir Thomas Gibson, chaplain, to Alexander Hay, burgess of Perth, of that waste land sometime belonging to the charter-house to the north side of South Street, for payment to the altar of £1. 6s. 8d. yearly.

*Altar of St. Fillan.*—This altar was founded in 1496 by Sir Patrick Rae, chaplain to St. Salvador, who endowed it with a stipend of £9 11s. 2d. from his property within the Burgh. It is recorded that St. Fillan's crosier, or head of his pastoral staff, was found in 1782 in the possession of Malise Dewar, labourer in Killin, and representative of the hereditary keepers, accompanied by a certificate of its genuineness. In 1876 it was recovered from his descendants for £100, and is now in the National Museum.

*Altar of Nomine Jesu.*—This altar was founded in 1518 by Sir John Tyrie, Provost of the Collegiate Church of Methven as Dean of the Confraternity of the name of Jesus, the endowment being out of the property of the society situated in High Street and South Street. The foundation was confirmed by the Archbishop of St. Andrews, and the revenues were increased by a tenement in High Street, and an annual rent of £1 6s. 8d. out of the six other tenements. The patrons were the Provost and Town Council.

*Altar of St. Catharine.*—The patrons of this altar were the Provost, Magistrates, and Town Council. William Kinglassie, burgess of Perth, granted to the chaplain an annual stipend of £1 6s. 8d. out of his tenements in High Street until he had

repaid £18 13s. 4d., which he had borrowed from the patrons of the altar.

*Altar of St. Gregory and St. Augustine, or All Saints.*—This was founded in 1529 by Sir Simon Young, vicar of Pitcairn, and Dean of Gowrie, who endowed it with 15 marks annually out of his property in South Street. It was founded for the weal and prosperity of the then King of Scots (James V.), and for the safety of the souls of his relatives as well as his own. The Prior of the Charterhouse appears to have been patron.

*Altar of St. Thomas the Apostle and St. Thomas of Canterbury.*—This was founded in 1474 by Thomas Scott, James Scott, and James Scott, junior. It was endowed with a stipend of £7 5s. 4d., and the patrons were the Aldermen and Council of Perth.

*Altar of St. Simon Zelotes and St. Stephen.*—Founded by Sir Simon Bayne, presbyter, who endowed it with a stipend of £9 19s. 4d.

*Altar of St. Rogue.*—This was founded in 1551, and confirmed by John Hamilton, Archbishop of St. Andrews—Chaplain, Sir David Colling. It further appears that Sir John Young was also chaplain of this Altar. Notwithstanding the change of religion we are informed<sup>1</sup> that on 25th March, 1584, the King's letters were issued charging all and sundry, writers, feuars, and farmers to make payment of the fruits and rents of that altarage under pain of horning. It had property in High Street, Skinnergate, and Castle Gable.

*Altar of St. Fith.*—Founded by Finlay Anderson, burgess of Perth, in honour of St. Fith, or St. Fithie the Virgin, and he endowed it with a stipend of £12 out of his property in High Street and Watergate.

*Altar of St. Confessor.*—In 1510 a charter was granted by John Fendour, burgess of Perth, to Sir Andrew Adamson, Chaplain of St. Confessor's Altar, of £2, annual rent out of his property in Kirkgate.

*Altar of Salvation of Our Lady, and St. Gabriel.*—This was founded in 1513 by Patrick Wells of Wellshill, burgess and Provost of Perth. The endowment of £8 Scots was derived from property in Watergate and South Side of High Street.

*The Holy Trinity Altar.*—Founded in 1518 by John Ireland, Vicar of Perth. The revenues were derived from tenements on the north side of South Street; also Horner's Orchard with its pertinents lying outside the Spey Bridge of the burgh; £1 6s. 8d. of annual rent out of John Dundee tenement in South Street, one half to the altar, and the other half for obsequies and a mass of rest and memorial to be celebrated every year at the altar on the anniversary of Dundee's decease; and £6 15s. 8d. annually out of other properties in town. The foundation was confirmed in 1519 by the Archbishop of St. Andrews. There was already a Trinity altar in the Chapel of St. James within the Church.

<sup>1</sup> Book of Perth.



*Altar of St. Margaret, Consort of Malcolm Canmore.*—This was founded by Andrew Pitscottie of Luncarty, Vicar of Perth, who died in 1438. It was endowed with the annual sum of £11 4s. 8d. out of property in Perth. In 1474 the founder's nephew, Walter Pitscottie, discovering that the claims in the deed providing that prayers should be offered for the soul of the founder, and the souls of his relatives, had not been properly executed, and that in consequence their souls might be exposed to greater sufferings in Purgatory, renewed and confirmed the foundation. In the matter of the duties of the chaplain he was never to be absent more than fifteen, nor was his office to be vacant more than forty, days. The patronage of the patron when negligent was to be exercised by the Provost and Town Council.

*Altar of St. Martin.*—Founded by Andrew Pitscottie of Luncarty. His nephew completed the foundation and endowed it by Charter with an annual stipend of £10 4s. 8d. from various properties in Perth.

*Altar of St. Andrew or Holy Presentation.*—Founded by John Chalmers, burgess of Perth, whose grandson Robert and spouse, Katharine Kinnaird, founded a chaplaincy at the same altar in honour of the Holy Presentation; a chaplaincy was also founded by James Fenton, Vicar of Tibbermore. They were liberally endowed from property in Perth.

*Altar of St. Mary Magdalene.*—The founder of this altar is unknown. John Young, Provost of Methven Church, granted a charter to Janet Murray, relict of Robert Sadler, burgess of Perth, of property in South Street, to this altar yielding annually one mark. There were doubtless other endowments which are not recorded.

*Altar of St. James the Apostle.*—It is not recorded who founded this altar, which dates from 1402. John Aitchison, burgess of Perth, granted a tenement in South Street, yielding 20s. annually to be paid to the chaplain of this altar.

*Altar of St. Dionysius the Martyr.*—Founded 1484. John Spalding, Dean of the Cathedral Church of Brechin, founded a chaplaincy to this altar, and endowed it with a stipend of £8 14s. 8d. from property in High Street belonging to the Abbot of Inchaffray.

*Altar of St. Barbara.*—Founded 1526. Sir Simon Young, Commissary of the Bishop of Dunkeld for Tulilum, confirmed by Charter the foundation of St. Christopher's altar, to which Alexander Tyrie annexed the altar of St. Barbara, founded by him. This altar was founded for the welfare of the soul of James IV., of the souls of the founder's father and mother, his two brothers, and his wife, Janet Lauder. The altar was controlled from the Charter-house.

*Altar of St. Joseph.*—Founded in 1524 by Sir John Tyrie, Provost of the Church of Methven. Prayers to be offered for the soul of James IV., the soul of the founder, and those of his relatives. This was the patron Saint of the Wright Incorporation.



The history of St. John's Church is in reality the ecclesiastical history of Perth. It has witnessed many a scene, has a remarkable record, and it may be said that for thirteen centuries it has been the centre of the religious and social life of the town. It is a fortunate circumstance that, notwithstanding the numerous floods that have taken place during the past 700 years, St. John's has weathered every storm, and remained impregnable. It has been a Columban and a Catholic church before the Reformation, and has been a Reformed and a Presbyterian church ever since. As a church of high antiquity, it has always been regarded as one of great importance, and probably there is not a more ancient within the realm of Scotland. Its pre-Reformation history, when we think of these forty altars all so highly adorned and equipped, leaves no room to doubt that it was then an edifice internally of great beauty and considerable attraction. Since the Reformation, it has been the property of the town, and since the introduction of its famous bells in early times, it has been a greater factor than ever in our civic administration. In pre-Reformation times it had a bountiful exchequer, but since that period its exchequer has never reached its normal proportions. The churchyard, which was extensive, and surrounded the church, is now the site of St. John Street, St. Ann's Lane, Kirkside, and the City Hall. Whatever may be said of the venerable edifice, there can only be one opinion, we think, regarding its antiquity and the extraordinary number of remarkable incidents which have marked its history.

### CHAPTER III.

The Ancient Monuments of Perth—The House of the Green—Lowswark and Boot of Balhousie—The Ancient Castle of Perth—The Gilten Herbar or Gilten Arbor—The Ancient Castle of Kinnoull—The old Mercat Cross of the Burgh—The old Parliament House—The Ancient Corporation Seal—Halkerston Tower—The Dragon's Hole—The Inches—Perth Grammar School, and Sang School—The Fair Maid's House—Gowrie House—The Monkstower—The Spy Tower.

IT is believed that the house that formerly stood on the west corner of the Watergate facing High Street was called the House of the Green and was the oldest house in Perth. In this house, it has been said, the then golfers deposited their balls and clubs. The ancient Picts, prior to their conversion, had, it is generally understood, a Pagan temple, and on the supposed site of it stood this House of the Green. Mercer of Aldie more than a century ago pulled it down, built another house on the site with a marble slab in front bearing this inscription: "Here stood the House of the Green." Mr. Hay Robertson's place of business now occupies the site. It would appear that a part of the ancient building was originally subterranean. Several feet below the street level, contractors have in modern times come on two arches, each with an apartment 26 feet by 14: thickness of walls  $3\frac{1}{2}$  feet. In one

was a door looking north, and in the other a door looking south.<sup>1</sup>

Assuming that the old temple stood on the same ground, at what period did the House of the Green take its place? When the conversion of the Picts occurred at the close of the sixth century, it is supposed they erected a new building, which afterwards was dedicated to St. John the Baptist. If so, the old Pagan temple would presumably be displaced by the House of the Green. From the site of the old temple to St. John's Church is not more than 100 yards, which would indicate that the site of St. John's was chosen by the Picts as a suitable and convenient place for their new ecclesiastical edifice. It cannot, we think, be reasonably supposed that the edifice which was dedicated to St. John the Baptist was ever before its dedication a place of Pagan worship. To do so would mean the existence of two Pagan temples, a state of matters which we may be assured did not and could not exist. The edifice so dedicated would be the ancient one constructed of wood. And again, did the subterranean building belong to the old temple or to the House of the Green which replaced it? The apartments for that age were very large. We cannot see what use the House of the Green could have for such apartments; and we believe the Pagans who offered animals in sacrifice would in all probability use these subterranean buildings for such purposes, and for the use of those who took part in the sacrificial rites. It does not appear why the House of the Green was so called, unless it stood on a green. It is probable that it did so, as the Watergate was not then known, and the

<sup>1</sup> Scott's Statistical Account.

ground now covered by Watergate, St. John Street, and Princes Street, on to the South Inch, would be a great plain covered with pasturage. It was doubtless this great plain, with its impetuous river, that captivated Agricola when he chose it as his head-quarters, and erected dwellings for his soldiers. It is unfortunate that this, the most ancient of all our ancient monuments, should be so utterly lost in obscurity.

We can find no trace of it, not even in the Mercer Archives, where we would have expected to find some record of it, as the site is the property of that family, and has been so from time immemorial, long before the Norman Conquest. The nature, object, and date of the original building are quite unknown.

#### LOWSWARK AND THE BOOT OF BALHOUSIE.

About half a mile north-west from Ruthven Castle, or three miles from Perth, is a stone dyke or sluice across the river, which was originally constructed to divert part of the waters of the Almond into an aqueduct. The question has often been asked, What was the origin, nature, and object of this ancient building? There seems strong presumptive evidence to warrant us in saying it was a Roman work. Had it been built at a later period, we should have had a record of it. The aqueduct and buildings were evidently constructed for the purpose of supplying with water the fosse or moat that surrounded the fortifications of the ancient town. It is also a proof that the ancient town never stood, as some writers suppose, at the junction of the Tay and Almond, for the course of the aqueduct from its construction has run direct from its source to the present town of Perth. To the

citizens it was of the highest importance, though why called "Lowswark" we cannot determine, nor is that a point of vital moment. The various sieges the town sustained during the early and middle ages leave no doubt that it was an invaluable help during the military operations, and made the capture of the town an almost impossible task for the besiegers. It must not be forgotten that the Perth Water Mills existed at a very early period, and that this aqueduct was also of importance to them. These mills, whatever their origin, were gifted, as we have stated further on, by John Mercer to Malcolm III. in the eleventh century, and from time immemorial have been driven by this water supply from the Almond.

Among the earliest documents we have in connection with Lowswark is one long after the Roman period—an agreement of 4th November, 1494, between William Lord Ruthven, and William his son, on the one part, and the magistrates of Perth and John Eviot of Balhousie on the other part. This deed provides for the permanent maintenance of Lowswark, which is to be the retainer and closer of the aqueduct: "It is appointed, touching the agreement made between William, Lord Ruthven, and the magistrates and the lessees of these mills in the taking of earth and stones from the lands of Ruthven for the maintenance of the lade and the inholding of the water; the first parties bind and oblige themselves never to disturb the second parties in the peaceable possession of the lade, nor in taking earth and stones from the lands of Ruthven for its maintenance. It was understood by the contracting parties that the River Almond runs hard at the head and enters the lade in



which the mills stand in such volume that the lade may suffer great damage thereby. For remedy thereof, the said parties bind and oblige themselves that there be made for their mutual good a sluice at the head of the lade for receiving a sufficient water supply for all the mills that stand thereon and belonging to them, and to defend and resist the over supply of water that is liable to flow and cause the destruction of the lade or aqueduct; and that the auld wick called Lowswark be mended, built, and reformed so as to keep the water to its original channel, each party to be responsible for the expense according to his proportion of profit effeiring from the mills. The sluice and Lowswark to be maintained by the contracting parties in this manner. In connection with this, the magistrates caused William, Lord Ruthven, and his son, to take the oath of fidelity, by which parties are mutually bound to each other, without fraud or guile, in respect of these conditions, and bind and oblige themselves accordingly in the strongest form of obligation—"the great oath sworn, the Holy Evangel touched, but not fraud or guile." This agreement was signed and sealed by the contracting parties in presence of Sir John Tyrie, Provost of Methven Collegiate Church, and several others, on 4th November, 1494.

Whether the agreement was faithfully carried out does not appear, but nineteen years afterwards it became necessary to confirm it, which was done in the usual legal way. This confirmation, dated 23rd November, 1513, goes on to say :—"Touching the upholding of Lowswark lately built (rebuilt) by either of the said parties for the sake of peace and

concord between them. That is to say, William Lord Ruthven and John Eviot shall maintain for all time, damage or skaith excepted, the south and west parts of Lowswark, and the half of the sluice next the same, at their own expense, and the Magistrates and tenants of the mills shall maintain the east half of the sluice. If through the neglect of either party the other party suffers, the offending parties promise to make good the damage ; and the contracting parties bind and oblige themselves to keep these premises. Signed and sealed by William, Lord Ruthven, John Eviot, and the Magistrates, in presence of John Ireland, Vicar of Perth, and various other witnesses. Perth, 23rd November, 1513."

The Boot of Balhousie is an offshoot of the aqueduct, its formation having been granted by the King to the Laird of Balhousie to drive his mill. The laird asked for a bootful of water. This request being granted, he immediately drew off as much water as would flow through a pipe eleven inches wide, the width of his boot top. Such was the origin of this little stream. The boot is a stonework on the east bank of the aqueduct, in which is a round hole of thirty-two inches circumference, with an iron ring at both ends, for conveying the water to the mill, by agreement with the town of Perth. The descent of the water into the "boot" through the ring forms a strong cascade, where, in former days, people having rheumatism and colds, by bathing here, were said to be cured. In 1494 an agreement between the Magistrates and the Laird of Balhousie says :—

The said boot shall be taken up and new maid

of 32 inch width within at baith ends and banded with iron within and without, and laid in a stone wall made therefor at the sight of twelve persons; that is to say, six of the town and six of Balhousie's frends by the advise of theim, and when the watter breaks out or overflows the lade the laird of Balhousie shall send two men with the 'multrare' of the town which shall be for the time, once in the year to the inlayin of the watter or the clearance of the lade. This agreement is to be observed between the parties and their successors for evermore; and parties fore-said affix their seals to the respective duplicates of the indenture, the seal of Richard Eviot of Balhousie being still appended to this.

There does not appear to have been any subsequent legislation about this matter, so far as can be gathered from the official records.

#### THE ANCIENT CASTLE OF PERTH.

A favourite residence of the early kings, prior to the foundation of the Dominican Monastery, was the Castle of Perth, which stood on the north side of the canal at the castle gable near the Curfew Row, and near to what was called in those days the Red Bridge over the lade. Beyond the red bridge was the red port in the city wall. A part of this wall is still to be seen on the north side of the Albert Tavern close. The Castle buildings seem to have extended northward to what was afterwards called the Friars' Croft—the croft or land under cultivation belonging to the monastery. The street there has from very remote times been called the Castle Gable, because of a portion of the Castle which long remained standing after the rest was in ruins, and to the street leading northward from it—the street of the Castle Gable. The Castle and

St. John's Church were in early times the principal buildings of the town, and the Skinnergate the way of communication between them. The Castle, we are informed, had a chapel and chaplains, and enclosed the royal gardens and pleasure grounds. We have no authentic information as to when it was built, nor when it was first occupied as a royal residence. It first appears on the pages of history mysteriously, and disappears as mysteriously. One writer suggests Agricola as the builder, but we can find no confirmation of the statement anywhere. It seems unlikely to have been founded earlier than the sixth century, because the first mention of it is that "between it and St. John's Church the Skinnergate was the way of communication." St John's Church was not built before the sixth century, while in regard to the sovereigns who lived at the Castle at that early period, we have, as a matter of fact, no authentic record. The Pictish Kings, from the death of Brude in 587, up to their subjection by Kenneth M'Alpin in 843, doubtless resided at Scone or Abernethy, and probably at the Castle of Perth as an alternative residence. Kenneth resided chiefly at Forteviot Palace, although his brother Donald, who succeeded him, died in 863 at Rathveramon, a fortress at the junction of the Almond and Tay. From Kenneth's death in 860, to 1054, when Malcolm Canmore ascended the throne, the following Kings held the sceptre of the new monarchy of the Picts and Scots, and there is every probability that during that period they resided at the ancient Castle of Perth: Donald I., brother of Kenneth; Constantine II., and Edward, son of Kenneth; Eochod; Donald II., and Constantine





*To face 68.*

THE ANCIENT CASTLE OF PERTH.

*Showing part of the Fortifications:—The City Wall and Drawbridges.*





III., grandson of Kenneth; Malcolm I., son of Donald II.; Indulf, son of Constantine III.; Odo, son of Malcolm; Culen, son of Indulf; Kenneth IV., son of Malcolm; Constantine IV., son of Culen; Malcolm II., son of Kenneth IV.; Duncan, grandson of Malcolm II.; Macbeth. Malcolm Canmore evidently resided at the Castle of Perth and at Dunfermline, these being his joint places of residence. It is probable that his successors continued this arrangement until the time of Robert Bruce. The Castle is said to have been dismantled by Bruce during the War of Independence. William the Lion, though he is erroneously said to have committed acts of vandalism at the Castle, undoubtedly resided there up to his death, and if so, it could not have been totally swept away by the flood of 1210. The town of Perth of that day had no better friend than this ruler. He took a personal interest in all that concerned it, granted charters, and undertook the rebuilding of the property which had been swept away. In 1160, Malcolm IV. convened a parliament in the Castle, which was his permanent residence. In the same year he was besieged there by some of the nobles who had quarrelled with him, but the King prevailed. His nephew, Alexander II., son of William the Lion, was particularly attached to the Dominican or Blackfriars Order, and in 1231 assigned as the site of the Blackfriars Monastery part of the ground towards the north of the town which lay nearest the Castle, and granted them a Royal Charter. Perth in these days was surrounded with castles. There was Ruthven Castle, the seat of the Ruthvens; Aberdalgie and Dupplin, of the Oliphants,

succeeded by the Hays; Craigie Castle, of the Rosses; Kinfauns, of the Charteris family; Gasconhall, of the Bruces; Kinnoull Castle, of the Erskines; and Fingask, of the Threiplands.

James I., we know, resided in the Dominican Monastery, very probably because the Castle was no longer available. Indeed, after his reign it falls entirely out of notice. Between the close of the reign of Robert Bruce and that of James I., it must have been pillaged and burned to the ground. That it had been demolished before 1444 is certain from the charter of Robert III., of December 3, 1405, in which he grants to the Blackfriars Monastery, for the salvation of the soul of his mother, Elizabeth Mure of Rowallan, who was interred in the Monastery Church, the chapel of St. Laurence. This chapel was built where the Castle stood, on the ground called Chapelhill extending to the canal. Of all this we cannot speak with certainty. It is disappointing that so ancient a relic of the past is so involved in obscurity that no intelligible account of it can be obtained.

Monypenny, in his abridgment or summary of the Scottish Chronicles, referring to an extraordinary incident, says that about the year 972 Kenneth III. caused 500 notable thieves to be hanged on gibbets near the Castle of Perth, and inhibited their bodies from being taken down as an example to others. Dr. Mackenzie, in his "Lives of Scottish Writers," vol. ii., p. 59, confirms this, and says that Kenneth confined the noblemen, whose dependents these thieves were, in the Castle of Perth. Monypenny further says that in the

same King's reign the Danes laid siege to the Castle of Perth, and Mackenzie also confirms this. Lesley, Bishop of Ross, in relating the events of King Duncan's reign, confirms this statement of the siege of the Castle of Perth by the Danes, 1030-1037. That 500 men should be hanged near the Castle of Perth is quite appalling, if true. At the time when it is alleged to have taken place, the country was overrun by Danes and Norsemen, specially by Danish pirates, who were, so to speak, as "thick as leaves in Vallambrosa." Whether these 500 men were Danes is not recorded; we are merely told they were "the dependents of noblemen," but it is conceivable they were Danes, who at that time had laid siege to the Castle. We must also keep in view that Kenneth was the king who fought and defeated the Danes at the battle of Luncarty, which took place between 970 and 990; and, assuming always that the event occurred, it is probable, in these barbarous times when might was right that these 500 men were prisoners captured by the Scottish king at the battle referred to. Thieving appears to have been carried on to an alarming extent; so much so, that places for trying criminals had to be specially fixed. It is recorded that the places where the cautioners were to appear respecting those suspected of theft were: For Strathearn, at Perth; for Gowrie, at Scone; for Stormont, at Clunie; for Atholl, at Rait. None of these jurisdictions passed under the name of Sheriffdoms. We have seen some of the King's Charters dated at Scone and Clunie.<sup>1</sup> The invasion of Danes and Normans of

<sup>1</sup> Dalrymple.

that period culminated in the Norman Conquest of 1066. Up to that time, and indeed up to the reign of William the Lion, the records of Perth seem to be a blank.<sup>1</sup> Prior to the tenth century, Scotland, it is stated, was a Celtic kingdom. The modern Scots, who are said to be a different race from the ancient Scots, and came from Scandinavia, first became known to history in 1020.<sup>2</sup>

#### GILTEN HERBAR, OR GILTEN ARBOR.

The Gilten Herbar, or Gilded Garden, was one of the most ancient monuments of Perth. The word "herbar" means that it was a garden having a variety of herbs, shrubs and flowers; and "gilten" that it was famous for its gilded decorations. Sometimes it was called "gilded arbor," or decorated bower, or summer-house, while in the Blackfriars' Charters it is called "Golden Herbar." It was situated without the North Port, on the north side of the road leading to Huntingtower, bounded by the road leading to the Feu House. This ground was commonly called the Play-field, where meetings for showing weapons were held and archery practised, and where the Royal Amphitheatre stood, in which the interludes, or, as they were then called, the "mysteries and moralities," were usually performed. In this amphitheatre King James V. and many of the nobility and gentry sat from morning till night, witnessing the acting of the satirical plays composed by Sir David Lindsay of

<sup>1</sup> Cosmo Innes.

<sup>2</sup> Pinkerton.



the Mount. So long as the amphitheatre stood, it was regularly attended by the Kings of Scotland during their residence in Perth. The writs of the monastery describe the Gilten Herbar as the level part of Blackfriars' ground which lies on the west side of the canal which comes from the Mill of Balhousie. The friars had for their use two gardens, granted by Alexander II. when he founded the monastery. The first was the Friars' Croft, and the second was the King's Garden, or Gilten Arbor.

When the friars got possession of the King's Garden they kept it a long time in good repair for the recreation of the royal visitors. Such a fine piece of ground was eventually regarded with a grudge by the citizens who were fond of archery. In July, 1535, a number of men broke down the fences of the south-east portion, and entering the Gilten Arbor hastily built at each end of it a butt or bowmark. Next morning the friars made a great outcry, and complained to the King (James V.). A letter was addressed to William, Lord Ruthven, Sheriff of the County, requesting him to do justice to the Blackfriars in opposition to the Magistrates and Town Council, "who had taken illegal possession of certain crofts and pieces of land near their monastery, and who had thrown down and destroyed a part of the enclosures, and had erected butts or bowmarks in a part of their lands called the Gilten Herbar: had taken possession thereof, nor repaid to them the damage and skaith they had sustained unless now compelled to do so." The prior and convent do not seem to have been on friendly terms with the Corporation. In this affair of the Gilten Arbor, Prior George

Crichton and the friars protested on the 26th August that they had been refused a copy of the King's letter to Lord Ruthven, and on the 18th of that month James V. reversed the order he had given to his lordship, and with the consent of parties appointed Patrick Ogilvy of Inchmartine and Edmund Hay, Chamberlain of Errol, to be judges in the plea. On the 3rd July, 1536, the King issued a summons to these gentlemen to exercise the office of Sheriff in the dispute. The affair was not decided in 1538, when the King commanded witnesses to be examined.<sup>1</sup> The King afterwards ordered the Corporation to pay the damage, and to cease troubling the friars in all time coming. The friars had rest more than twelve years, and granted a tack of the Gilten Arbor, along with their croft, to a tenant, who did not suppose that his cattle would be disturbed by those who resorted to the grounds with their bowstand. The butts, however, were entirely taken away, and all admission refused. It would appear that the burgesses, who were famous archers, again became turbulent, and resolved to commit another outrage. In 1552 some of them broke into the south-east division, which had been laid down with seed, and wantonly sowed it over with a weed which dyers use for making a yellow dye, to the utter destruction of the croft. A complaint was lodged with the friars, and John Hamilton, Archbishop of St. Andrews, and other Churchmen, came over to Perth, and sat as a court-martial; but their judgment has not been recorded. At the Reformation, when the monastery was pulled down, the laird of Balhousie seized his share of the

<sup>1</sup> Lawson's Book of Perth.

friars' lands ; but in 1588 they were surrendered for a consideration to King James VI. Hospital. From a paper read one hundred years ago by James Scott before the Literary and Antiquarian Society, some of the decorations of the Gilten Arbor, it would appear, were gilded crosses ; and from respect to King William, there may have been a gilded lion, as he assumed the figure of a lion on his coat-of-arms, hence the title William the Lion. The name of Gilten Herbar still attaches to those lands, as in a feu charter by the town to Lord Kinnoull in 1773, we find the following description : " St. Catherine's Chapel, with sundry lands ; the lands of Gild Herbar called causeway lands of Wellsland on the west, and St. Catherine's Chapel on the east, the common street on the south, and the lands of Langlands on the north." Originally a wall would seem to have run along the east side of the Gilten Arbor, where poplars were afterwards planted. This wall was standing in 1396, when the battle of the clans took place. King Robert III., who was residing in the Castle, witnessed this contest from off his

Pleasant garden, flowery wall  
Which men the Gilten Arbor yet do call.

#### THE ANCIENT CASTLE OF KINNOULL.

This ancient building has long since disappeared. Its situation would appear to have been close to the banks of the river on the Kinnoull side, at the base of Kinnoull Hill and facing the South Inch, about a quarter of a mile south of the old parish church on the site indicated by the name of Castle Bank. Adamson says, " On the declivity of Kinnoull Hill



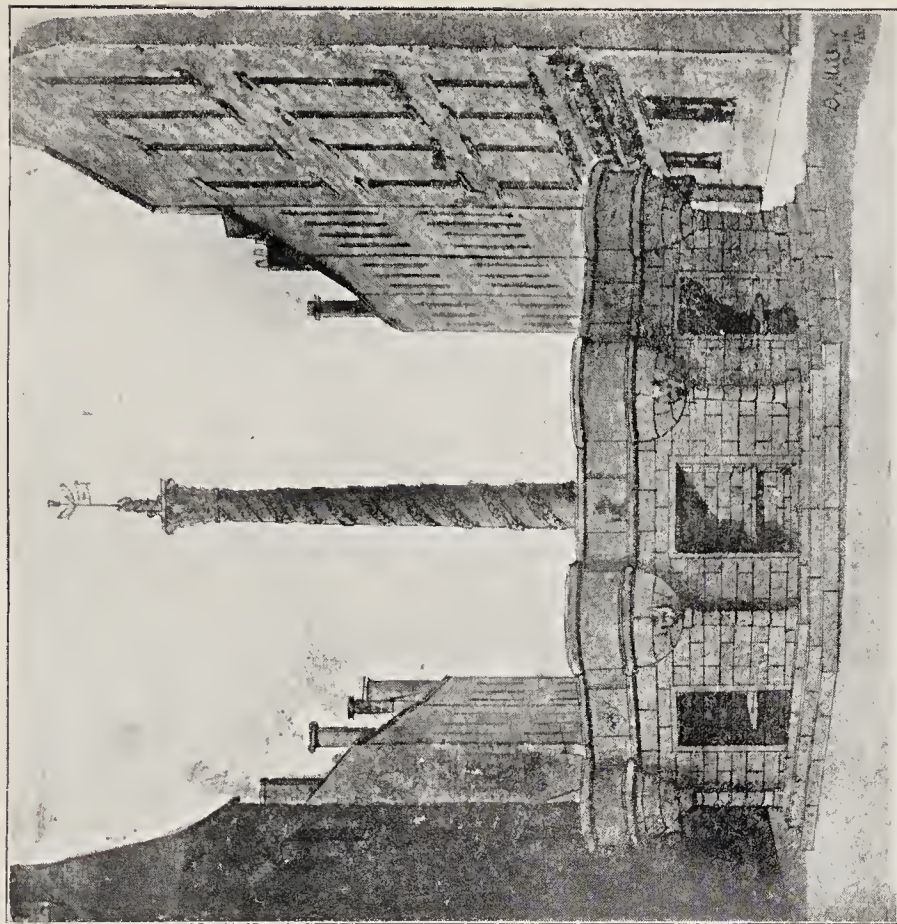
next day, when told the King was approaching, she went down into the hall elegantly dressed, attended by a train of matrons, many of whom were her own descendants, some of whom were more altered and disfigured by age than herself. On the King entering the hall, she rose from her seat and advanced to meet him, so easily and gracefully that he doubted of her being wholly blind. At his desire she embraced and kissed him. Her attendants assured him that she was quite blind, and that from long custom she had acquired these easy movements. He took her by the hand and sat down, desiring her to sit beside him. He was much delighted with her conversation, and asked her to tell him what sort of a man Wallace was and with what degree of strength he was endowed. He put the same questions concerning Bruce. Bruce she said was a man of a fine physique. His strength was so great that he could easily overcome any man of his time. But in so far as he excelled other men he was excelled by Wallace, both in stature and bodily strength. In wrestling, Wallace could have overcome two such men as Bruce. The King made some inquiries concerning his own parents and other ancestors, and having heard her relate many things he returned to Perth, much gratified with the interesting conversation of Lady Erskine.

#### THE OLD MERCAT CROSS OF PERTH.

This old historic monument has long since passed away. In early times it marked the most public part of the town, as all proclamations, not only of the kings but of the local authority, were made there. In short, all announcements of any importance were proclaimed at the Mercat Cross in

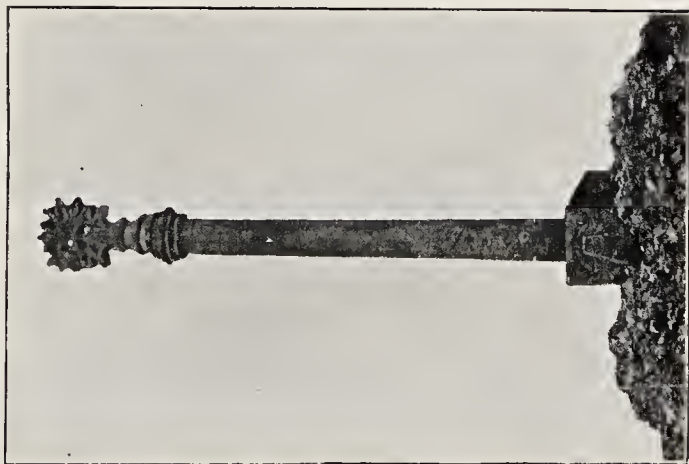


the hearing of the people. When the first Mercat Cross of Perth was erected is unknown. Our information begins with the second one, built in the reign of James VI. It stood on the site of the old one—in the High Street, opposite Skinnergate—and, as will be seen from the illustration we give, was a building of substantial proportions, having a balcony, and surrounded by steps about 12 feet in height, with a cellar underneath. It is recorded that in 1578 the Kirk Session requested the magistrates to clear the Cross that the door might open and shut, and that they might get a lock and key to the door; the master of the Hospital “to buy three locks for the three irons (jougs), where delinquents did penance at the Cross.” On 13th April, 1601, the King (James VI.), came to Perth, and the same day was made Provost. He was accompanied by a great attendance of courtiers. A banquet took place at the Cross, the King occupying the principal seat. After each toast the glasses were broken. It is said six dozen glasses were destroyed, as also many silver pieces and common vessels. The Cross was in 1651 pulled down by Cromwell in order to get stones for his citadel. For eighteen years thereafter there was no Mercat Cross, but in 1669 the magistrates gave orders to have it rebuilt. This was the third Mercat Cross, and it was similar to the second. By permission of the Lyon King it was emblazoned with the Royal Arms and those of Perth. It stood on a vase 12 feet high and had a flight of steps within, with a balcony on the top. On the first anniversary of the erection, the treasurer was ordered by the



*To face 78*

ANCIENT MERCAT CROSS OF PERTH



*See page 142*

THE OLD CROSS OF SCONE.



council to cover the balcony with a carpet, and provide glasses and two gallons of wine to be run out of the mouths of lions and griffins with which the Cross was adorned. On the King's birthday, in July, the usual loyal toasts were proposed by the magistrates, and as each one was drunk the glasses were thrown to the crowd, and new ones provided. The dignity of the magistrates was supported by a bodyguard of five officers in uniform—one for the Provost, and one for each of the four bailies. It is said at this period they owned £300, with no debts, and had some difficulty in disposing of the money. Ideal magistrates, when contrasted with the half million of debt standing owing in this year of grace 1903! They appear to have been undecided whether to buy ground at Craigie, or erect a Mercat Cross. They adopted the latter alternative, and erected the Cross of 1669. The Cross eventually became an obstruction to the increasing thoroughfare, and was removed in 1765

Fair relic of the race of yore,  
Whose pilgrimage hath passed away,  
Thy pillow rears its head no more :  
Our fathers—where are they ?  
Few names can time's memorials save,  
Or on his mouldering tablets keep ;  
Their loves and friendships in the grave  
Are sleeping sound and deep.

As onward flowed the flood of years,  
What mirthful seasons thou hast seen,  
And days like night, when bitter tears  
On Scotland's cheek hath been.  
Thou rose in beauty like a tent ;  
Another day decreed thy fall :  
Thus to our sires one dread event  
Hath happened to them all.

—*Lines on the Mercat Cross.*

## THE OLD PARLIAMENT HOUSE OF PERTH.

The memorable old Parliament House stood on the north side of High Street, a few yards back from the street, and is believed to have been built in the twelfth century. The passage leading to it still retains the name of the Parliament Close. Its site was where the Royal Arch Mason Lodge now is. It was eventually used as an Episcopal chapel, and was taken down in 1818. Long before that time it had fallen into decay. The Scottish Parliament met there very frequently (as will be seen from our list of Parliaments in Chap. VI.) up to the assassination of James I., when Parliament and any Courts of Justice that sat at Perth were removed to Edinburgh. We give an illustration of this old historical building, which was one of plain and modest pretensions.

The Parliament Hall was a fine square room, high, and finely stuccoed in the roof, with a large chimney in the middle, and wood lined all round half-way up. In the outer room was a cupboard in the wall at the side of the door, supposed to be for holy water. From the inner room there went a turnpike stair up to the attic above.

## THE MONKSTOWER.

This tower was erected in the south-east corner of the Gowrie Gardens, on the town wall facing the river. The site is now occupied by the County Buildings. It formed the south-east angle of the old city wall, which extended from this to the Spey Tower. The ornaments on the ceiling are said to have been copied from those in the Gilten Arbor.



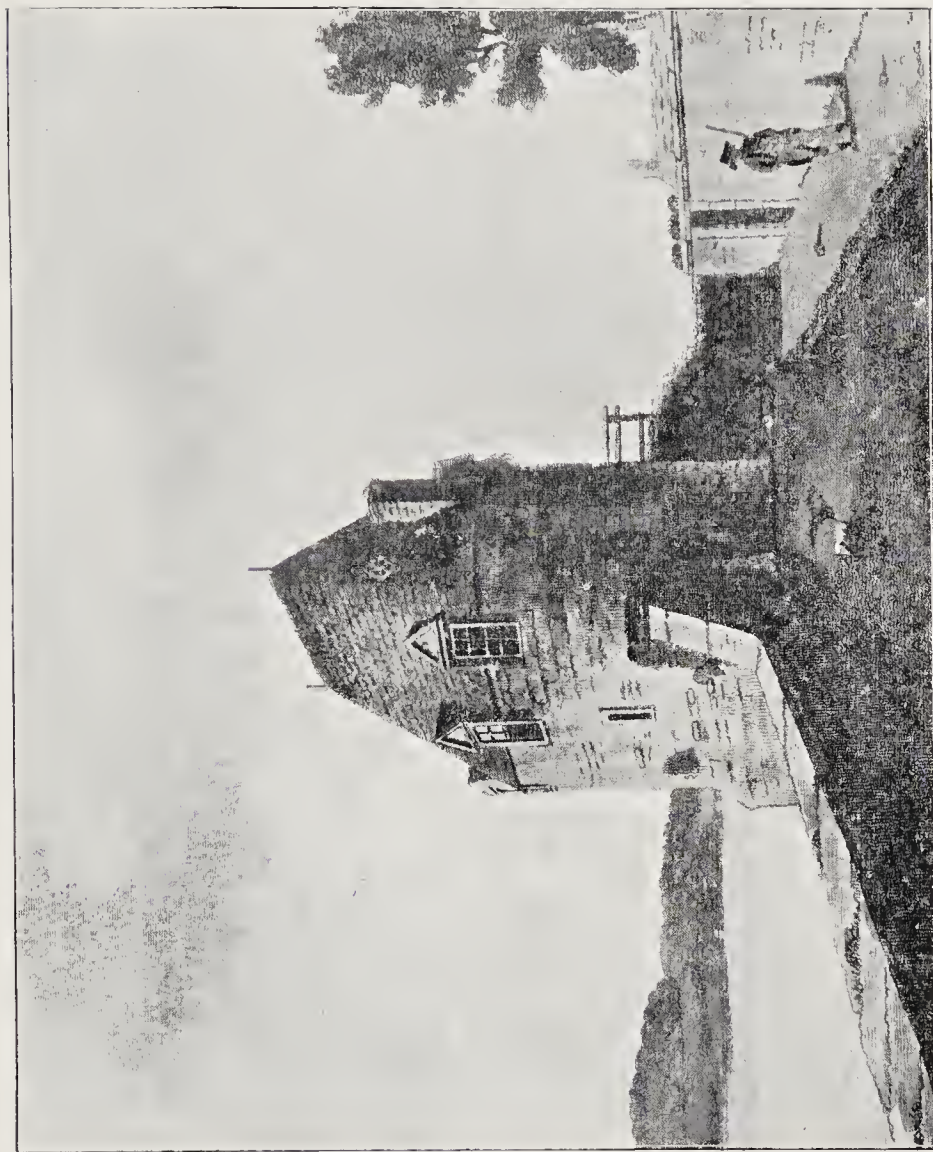


*To face 80*

# THE OLD PARLIAMENT HOUSE, PERTH

1. Window of the Parliament Hall.
2. Old Door which led into the Chapel from the outer apartment where the officers of Parliament attended.
3. Windows of the room where the Lords of the Articles sat.
4. An Entry through the House to the back court.
5. A Modern Bakehouse.
6. A Cellar.
7. Entry to a broad stair.
8. The Central Chimney.
9. The Attic Chamber.
10. A Cellar.





*To face 80*

THE MONKTOWER,  
*Which stood in the Gowrie Garden*



The paintings executed by the first Earl of Gowrie were allegorical and astronomical, representing the virtues and vices, the seasons, the zodiac, and other subjects. In this tower, when the monks were disorderly, they were sometimes confined in order to do penance. It was occasionally used as a powder magazine. The first Earl of Kinnoull, who was Lord Chancellor of Scotland and possessed Gowrie House, built the uppermost room of the Monkstower.

#### THE SPEY OR SPY TOWER.

This was a strong and stately fortress on the city wall near to Gowrie House and in Canal Street, and guarded the south gate of the city. This fortress contained a strong prison. Among those who were at various times confined here were pious persons whom Cardinal Beton caused to be condemned for heresy, and from this tower he witnessed their execution. The Rosses of Craigie were hereditary governors of it, and at the Reformation Robert Ross of Craigie finally delivered up the keys under protest. It was the last of the towers on the wall, and was taken down upwards of a hundred years ago.

#### HALKERSTON TOWER.

It is impossible now to ascertain the origin of this tower, or in what year it was built, or when it disappeared. It is said to have been a creditable specimen of groined architecture erected above the north porch of the West Church, and consisting of two repulsive cells one above the other; one for culprits, the other for a mortuary. After the Reformation, persons censured by the Kirk Session were confined in it, and later, offending soldiers



were confined there. It probably took its name from some remarkable person who had been confined in it.

#### THE DRAGON HOLE.

In early times the Dragon Hole was a factor in the social life of the people as a resort on various occasions and for various purposes. It is a cave in the rock on Kinnoull Hill, facing the Dundee Road. It was the scene of annual processions of young people on 1st May, a practice which evidently originated in Druid times, connected with Beltane or Bel-fire, the worship of the Sun. The rejoicings continued to be observed in various forms in early Christian times, and the Dragon Hole was known as such from the most remote antiquity.<sup>1</sup> It is extremely difficult of access, is about 10 feet high, and will accommodate a dozen persons. It is said Sir William Wallace frequented it, and hid in it during his military manœuvres around Perth. Adamson mentions a certain James Keddie, who found in the Dragon Hole a stone which had the power of rendering its possessor invisible. Keddie lost the stone, and though he often searched for it, it was ever afterwards invisible to him.<sup>2</sup> In the Kirk Session Records of 1580 there is the following entry: "Ordain an act to be made by the minister concerning the discharging of all persons passing to the Dragon Hole superstitiously, and the same to be published from the pulpit and thereafter given to the magistrates and proclaimed at the Mercat Cross." The act was as follows: "Because the assembly of ministers and elders understand that

<sup>1</sup> Spottiswood.

<sup>2</sup> Book of Perth.

the resort to the Dragon Hole by young men and women with their piping and drums going through the town has caused no small slander to the congregation, not without suspicion of improprieties following thereon, the assembly with consent of the magistrates have ordained that neither man nor woman resort to the Dragon Hole as they have done hitherto on 1st May under a penalty of twenty shillings Scots for each person found guilty, and that they make their repentance on Sunday in presence of the people."

#### THE INCHES.

How the Inches of Perth came under the management of the town is altogether unknown. There are absolutely no records bearing on the subject. The legend about the Mercers may be discarded as merely a legend. Had it been *bonâ fide*, we should undoubtedly have had authentic evidence. But there is no such evidence, and the people of Perth must remain uninformed as to how they acquired them. It may be conjectured, however, that it was by right of inheritance, when the town was founded and gradually rose to be an important centre. This takes us back to the Roman occupation. The Town Council are custodiers of the Inches, but have no proprietary rights without the sanction of Parliament. They have a free hand in their administration, and make their own bye-laws, but the Inches must always remain as a common for the recreation of the citizens. The North Inch has an area of ninety-eight acres; the South Inch about half that area. In the middle ages the Inches were the scene of various

combats. Sir William Wallace had some serious fighting on the South Inch; while in the reign of Robert Bruce the North Inch was the scene of a fight between Hugh Harding and William de Saintlowe; and in 1396 was fought the famous battle of the clans. These do not exhaust the list, as various skirmishes on the Inches will be found in the following pages. In 1443 John Gormac of Atholl, captain of a band of Freebooters, attacked Sir William Ruthven, Sheriff of Perth, at the head of his guards, while leading a thief from Atholl to the gallows. A skirmish ensued, and Gormac, with thirteen of his followers, was slain. The rest fled. This encounter occurred on the North Inch, and we learn from the Exchequer Rolls that Sir William Ruthven was also killed. On account of the utter weakness and inadequacy of the administration, no trial appears to have taken place in connection with this remarkable event.

It is important to observe that up to 1785 the North Inch was only half its present size. It was formerly bounded on the north by a wall called the white dyke, so as to prevent the encroachment of the Muirton farmers. This dyke ran from Balhousie orchard to the river. In 1803 an excambion was made with the Earl of Kinnoull, his lordship having highly appreciated the idea by which the Muirton haugh was added to the North Inch, for which the town gave the greater part of Tulilum. Soon after, the dyke was taken down and a racecourse formed round the Inch.

The matter passed through the Law Courts without opposition. In the petition of the town it is stated that the petitioners considered it would

be beneficial for both parties, and tend very much to the ornament of the town, as well as the improvement of the neighbourhood, if the flat ground of the Muirton, and the low corner of the orchard of Balhousie not exceeding thirty acres, and those parts of the Muirton, which are incapable of culture, lying on the east side of the flat ground and betwixt them and the river Tay, not exceeding fifteen acres, were thrown into the North Inch, and an equivalent given for the same. The North Inch, when so extended, to be disburdened of the Muirton and Balhousie lands presently passing through it. The petitioners asked the sheriff to appoint skilful men to report on the whole scheme. The sheriff did so, and a lengthy report was submitted to the sheriff, and on the basis of that report his lordship, in January, 1803, gave judgment in favour of the scheme. It is expressly declared in the deed that the Magistrates and Council oblige themselves and their successors in office that the North Inch, when extended in the manner stated, shall not on any account be either ploughed or built upon, nor feued, nor alienated by the community for any building, agricultural, or other purposes inconsistent with the pleasurable use of the North Inch as a lawn or green. This was a very proper stipulation, and in respect of the excambion its great importance and the wisdom of the scheme have been fully recognised and appreciated by the community. The natural beauty of Perth is greatly enhanced by these delightful recreation grounds, the North and South Inches, and there is probably no other place in Scotland where the inhabitants possess such a precious boon.

Provost Hay-Marshall became proprietor of Blackfriars property by purchase, and succeeded in getting the road from Dunkeld to Crieff to pass through the property. When the bridge was built, this road was altered and taken up through the North Inch, and a row of trees planted on each side. Some of these still remain to mark the site of this old landmark.

#### PERTH GRAMMAR SCHOOL.

A modern writer,<sup>1</sup> whose authority is unquestionable, informs us that in the reign of Malcolm (1153-1165) there were flourishing Burgh Schools at Perth, Stirling, and Roxburgh. It would be interesting if we could find some details of Perth Burgh or Grammar School at that early period, but there is very little to be obtained. It is evident, however, from this authority, that the Grammar School of Perth was founded in the twelfth century, at precisely the same period when John Mercer got his Charter of Meikleour—1162. The reigning sovereign was Malcolm IV., but he was succeeded in 1165 by his younger brother William the Lion. The references to the Grammar School of Perth are all of a complimentary nature. It appears to have been a well-conducted institution from the very first, and most successful, as its normal attendance seems to have been 300 boys. These would not all necessarily belong to the town, as such institutions at that period were rare, and boys may have been drawn to it from various parts of Scotland. It was under the supervision of the Provost and Magistrates, who paid the salaries and

<sup>1</sup> Cosmo Innes.



appointed the teachers. In 1550, prior to the Reformation, Andrew Simpson is said to have taught Latin with success at the Grammar School, where he had 300 boys. The school, at that time was managed by a rector, two ushers, and a janitor, with salaries from the Town Council, and a contribution from the Kirk Session. This institution in its day reflected much credit on the town, and produced many eminent scholars, including, it is said, the Admirable Crichton; but some writers deny this. Among the first rectors was William Rhynd, who occupied this office in 1590, and afterwards accompanied the Earl of Gowrie to Padua.

In 1604, Patrick Johnston succeeded Mr. Rhynd; and in 1622, John Durward was succeeded by John Rowe, who taught in a simple way Latin, Greek, and Hebrew, and has the honour of having compiled in Latin the first Hebrew Grammar in Scotland. It was dedicated to George Hay, Earl of Kinnoull. This was the first Earl of Kinnoull, whose portrait appears in this volume. He became Lord Chancellor of Scotland.

During the vandalism of Cromwell in 1653, the schoolhouse was demolished, which at that time contained 360 pupils, was three storeys high, and contained rooms for the rector, doctors, and music-master. This was followed by the sacrilegious destruction of the Greyfriars burying-ground, when the tombstones were actually removed to build the citadel.

In 1656 Johnston was succeeded by W. Paton from Meikle. After Paton came George Paterson, appointed in 1658. This gentleman was Professor of Humanity at St. Andrews. Paterson in 1668

was succeeded by Andrew Anderson. Henry Cree succeeded Anderson, and in 1679, Gullane of Prestons succeeded Cree. Gullane the same year was appointed Rector of the High School, Edinburgh, and was succeeded at Perth by James Ross of Dunkeld. William Saunders succeeded Ross in 1690. In 1704, Ross retired, and John Martin of Dunbarney was appointed. Martin's son succeeded him in 1732, and after him came Walter Grey from Cupar. On the death of Grey in 1752, Andrew Cornfute of Dunkeld was appointed. After Cornfute came Alexander Watson in 1773. In Watson's time the school fees were fixed at five shillings a quarter, and a gift at Candlemas, at which time little orations were delivered by the boys from platforms, and sometimes a play was performed for entertainment of the audience. At Candlemas the Rector called the roll, when each boy came forward and presented his gift. There was always a competition for the honour of king, usually bestowed on the highest donor. On one occasion a youth put down a guinea to ensure the honour, when the parents of another gave their son a guinea to add to his offering. A competition took place, till one had laid down twenty-four and the other twenty-five guineas. These scenes are said to have been of frequent occurrence. When the fees were raised to seven and sixpence this custom was abolished.

Down to 1773 there were fifteen rectors. It would appear that the Town Council in 1760 resolved that an academy should be erected, that it should have two masters with salaries of £50 each, and that each would teach three hours daily, except Saturday. The

Magistrates, in addition,<sup>7</sup> appointed a rector. The fees were two guineas for the session of ten months for the ordinary curriculum. Three rooms were provided in the Academy, one for each class, and one for a common school, where all met daily for public exercises, and once daily for public prayer. The new Academy was erected at the west end of St. John's Church. It was a commodious building, to accommodate both classes and teachers. Board and lodging for the pupils was provided at the houses of the masters. Students were always numerous. To the south side of the church a new house was built. The first floor was for the Kirk Session. Up two stairs the drawing-master gave his lessons, and the highest storey contained a public library.

Mr. Mair was the first rector of Perth Academy, and he was succeeded by Mr. Hamilton. This gentleman was called to a professorship in Aberdeen, and was succeeded in the Academy by Mr. Gibson. In 1784 Dr. M'Omie was one of its masters. The rector's class was taught in the flat above the Meal Market, which was built for the purpose. The flat above this was divided between the French teacher and the second master. On Mr. Gibson's retirement, Dr. Anderson was appointed, and he was probably the most famous of all the rectors. Under his direction many improvements in the ancient capital were carried out, and his name has always been familiarly known among us.

The Grammar School was amalgamated with the Academy. The present Academy, which took the place of the old one, was built in 1807 on a site presented to the town by Provost Hay Marshall.

## THE SANG SCHOOL.

At the Reformation the cultivation of music was not overlooked. There was a school of music for training the rising generation in the service of song, the master of which was usually the precentor in the Reformed Church. John Swinton was the first master of this school after the Reformation. His salary was paid out of the revenues of Greyfriars Monastery, and he was provided with a dwelling-house and garden. Some time after this the Masters of the Hospital were ordained to repair the house, that John Wemyss, Swinton's successor, "teach and train up the youth in the science of music; as also to build a stone dyke beside the house, between St. Andrew's aisle and the old south porch door, that it might serve for a little yard." This house would be situated on the south side of the church. The salary appears to have been £80, with free house provided by the Hospital.

In the Council Records under date 21st July, 1601, there is an Act discharging all writing schools within the burgh, except the Grammar School and Sang School. We hear nothing more of this primitive institution until 19th April, 1633, when the Town Council authorised a contract between them and John Rowe, by which he was obliged to teach English, writing, grammar, and music at a salary of 250 merks. This would mean that the Sang School was merged in the Grammar School at that date. This arrangement lasted nine years, when John Rowe was successful in being promoted to the ministry in Aberdeen. The procedure which

took place in the appointment of his successor forms highly interesting reading, and affords us an opportunity of reviewing the primitive methods which governed the administration of business in former days. On 4th January, 1642, the Council and Deacons of Crafts met, when they appointed Patrick Johnston to the vacant office. The Council minute proceeds :

Understanding that the burgh is presently destitute of a learned man to be master of the Grammar School, and that the same is vacant by transportation of John Rowe, last master thereof to the ministry at Aberdeen, and knowing perfectly Partick Johnstoun to be of sufficient literature and able to exercise and discharge the said office in teaching, learning, 'kenning' and instructing of the bairns in grammar reading and writing. And they having regard thereto and to his sufficient qualification have accepted and presently all in one voice accept the said Patrick Johnstoun to the office of master of the Grammar School of the burgh during the will and pleasure of the Town Council Deacons of Crafts and their successors. Wherefore the Provost [etc.] bind and oblige themselves and their successors to pay the said Patrick Johnstoun during the time foresaid yearly for his travelling expenses, house, meal and coals, so long as he remains school master of the school and attends diligently thereon, the sum of two hundred and fifty merks usual money of Scotland at two terms in the year Whitsunday and Martinmas by equal portions, and shall furnish and find a sufficient and suitable schoolhouse for instructing and learning of the bairns, and shall maintain and uphold the same sufficiently at their own expense in all necessaries and maintain and defend him in the peaceable possession of the said office. And shall not suffer or permit any other schools for instructing of children in grammar, reading, or writing, to be held in the said burgh or jurisdiction thereof, other than the said Grammar School and



such other schools as shall be found not to be prejudicial to the Grammar School; and this without prejudice to women schools to be taught by them according to use and wont. And ordain the said Patrick Johnstoun to receive in name of quarter payment from every burgess bairn attending the school ten shillings Scots or six shillings and eightpence to himself, and three shillings and fourpence to the doctor, and for every landward bairn twenty shillings Scots, or thirteen shillings and fourpence to himself, and six shillings and eightpence to the doctor. If any refuse to pay as they shall be required, or in getting payment for the session and masters of the hospital of one hundred merks which they were in use to pay yearly for the doctors these several years past, as their fee and duty promised for their service in the school the same to be reported. Like as the said Patrick Johnstoun has accepted the office, and binds and obliges himself to remain and wait diligently on the said school, and faithfully and diligently to teach, ken, learn, instruct, and bring up the youth in grammar, reading, and writing by himself and other qualified persons under him for he shall be answerable and shall not remove nor deposit therefrom without the consent of the said provost, and magistrates required and obtained.

As a relic of these times, and as conveying to us the manner in which the election of a teacher was conducted, this paper is full of interest.

#### THE FAIR MAID'S HOUSE.

The Glover Incorporation, among other papers, possess a charter by the Hospital of the tenement of land bounded by the land of James Berne, skinner, on the east: the king's common way and the vennel leading to the place of the predicator friars in the south and west, and the garden of William Anderson on the north, dated 11th August, 1629. Here we have the first authentic notice of the property which

afterwards was recognised as the Fair Maid's House. After this corner house was purchased by the Glovers, they turned the upper flat into a common hall, which served them for a meeting-place till 1787, when they built a new one in George Street. As to whether a curfew bell hung in the niche of the wall of this building seems a disputed question. Two well-informed local writers (Morison and Fittis) disagree on this point, and we may therefore leave the public to form their own judgment. The curfew bell was one of those in St. John's steeple, and we are inclined to think the view of Mr. Fittis correct, as the niche in the Fair Maid's House is too small for such a bell and more adapted for an image. The Glovers injudiciously sold the house in 1758 to Lord John Murray for £120, but it was repurchased by them in 1786. The Glovers during last century re-sold the house to James Bell, cabinet-maker, but in 1858 bought it back for £200. Some years ago they again sold it, so that it is now quite out of their hands, and is the property of the town of Perth. In 1863 when repairs were going on, a workman came upon a stone floor, and beneath it, at a small depth, another stone floor. In the space between lay the bones of a human skeleton. The different parts were perfect, and appeared to be that of a tall muscular man. The body must have been some centuries there, and doubtless was the victim of some foul deed.

Whether the house referred to is, or was, Simon Glover's house is a debatable question, with much to be said on either side; but there have always been a section of the community who answer the question in the negative.

## GOWRIE HOUSE.

It is difficult to convey to the reader an intelligible idea of the general appearance and beautiful proportions of this building. It extended from the Water Vennel to Canal Street, bounded on the west by the Speygate, and on the east by the river, while the entrance was from South Street by an arched gateway. The gable stood a little to the north of the gate of the County Prison. This wing consisted of a range of lofty stone buildings, the lower part being fire-proof. The second storey consisted of two state or reception rooms; the upper floor divided in the same manner. The northern division consisted of buildings not so lofty, having only one flat above the fire-proof and another flat above that. In the west division was the kitchen or *cuisine* extending across the whole breadth of the house. This division, north of the main entrance and forming part of the Watergate contained spacious public rooms on each flat. On the east of the building a terrace ran along the river the whole length of the property. The apartments were arranged *en suite*, so as to communicate with each other. There was a gallery which extended along one side of the square, and communicated by a door at the end with a chamber, which led to a small circular room in the turret where the conspiracy occurred. This gallery and the other apartments were accessible by a broad oaken staircase called the "black turnpike," but the turret or round room could be reached also by a back spiral stair, so that persons who entered it through the gallery might escape, or could be

conveyed away without again using the principal staircase. On the south to the line of Canal Street was the garden, the city wall forming the western and southern enclosure. (See plan.)

Among the writs of lands in and about Perth, 1483-1503, there is a "Back Band" (letter of obligation) by Elizabeth Gray, Countess of Huntly, with consent of Alexander, Earl of Huntly, her husband, to the magistrates and community of Perth, in return for a special license and tolerance granted to his Lordship in connection with land and a tenement belonging to her, lying on the east side of the Speygate, wherein she binds herself, her heirs, etc., that when it shall happen that the magistrates build a wall at that part of the town betwixt her tenement and the river Tay, that the said wall shall be wall and closure to her tenement and yard, with license to have a "yett" in the said wall, with an iron "yett" upon it, and likewise to build houses upon the said wall with windows, "starklie branderet" (strongly grated) with iron, so that the neighbours of the town may have free passage upon the "battalling" of the said wall, and in the time of war to have passage for carts with artillery and other necessities for the defence of the town, and they have liberty to break her walls to be built contiguous to the walls of the town, or make sufficient "yetts" of *largiour* (Fr. *largeur*, breadth) through the yard of the tenement for the passage of the same; and when it shall happen the Earl or his spouse to be furth of the town, they bind themselves and their heirs, etc., to deliver the keys to the Provost for the time. Dated Perth, 12th February, 1518. The document is written upon parchment, and has the

seals of the Countess and her husband appended, but there are no signatures either of the principals or witnesses, who are not named. The Countess was eldest daughter of Andrew, third Lord Gray, and married (1) John, sixth Lord Glamis, (2) Alexander, third Earl of Huntly, (3) George, fourth Earl of Rothes. The tenement in question was the original of Gowrie House, which, subsequently to the forfeiture of the Earl of Gowrie, was frequently called the "King's House," and occupied successively by Lord Crichton of Sanquhar, the Earl of Kinnoull, William Butter of Ardgaith, and Lieutenant-General David Leslie of Newark.

Alexander, Earl of Huntly, died in 1524, and was buried in the choir of the church of the Blackfriars Monastery. He was at one time proprietor of the Castle of Ruthven. On 24th January, 1525 a charter was granted by Elizabeth to the prior and friars of the monastery, giving them the estate of Littleton in order that mass might be said daily for her own soul and that of her husband.<sup>1</sup> Some time after the death of the Countess of Huntly, Gowrie House was acquired by Patrick, Lord Ruthven, Provost of Perth. The date of Ruthven's possession is not authentically recorded, but as he died shortly after he assassinated Riccio in 1566-67, it would be some time before that date. Notwithstanding

<sup>1</sup> In granting this estate, the Countess stipulated that annually, on January 16 (her husband's death), the friars should celebrate obsequies for their souls (Nine Lessons). If the friars fail to do so, they shall resign Littleton to the Superior in favour of any religious house who will accept the burden. Because the Countess contributed 300 marks for repairing the dormitory of the monks, they and their successors should say every day after Matins the Psalm De Profundis, with the prayer *Indina* at the sepulchre of the Earl of Huntly



many conflicting statements about the history of Gowrie House after the conspiracy, we find the following entry on the Register of the Great Seal, under date 7th January, 1602. It would thus appear to be beyond doubt that this property was on that date gifted to the town by the King, but the King is careful in making the gift to exclude the name of Gowrie House :—

King James VI. grants to the provost, bailies, councillors, and community of the burgh of Perth, and their successors, the land and garden in the said burgh on the east side of the street called the Speygait (between the Speytour and the common walls of the said burgh, and the passage thereof on the south, the land and garden of the deceased Mr. James Hering, Provost of Methven, on the north, and the water of Tay and the said walls on the east), also the common walls of the said burgh between the Monks tower, and the Spey tower, and the piece of land straight from the northmost corner called the Spey tower between it and the Monks tower, including the sewers thereof on either side of the said water. Paying to the King towards the reparing of the Bridge of Tay 3s 4d of fewfarm duty.

The question arises, What was the history of Gowrie House from 1602 down to the Battle of Culloden, when the town gifted it to the Duke of Cumberland—a period of nearly 150 years? There

in the choir, reciting their names—Alexander and Elizabeth. Every week also in their chapel meetings to commend their souls in their suffrages, special and general. In the event of the failure of the friars to fulfil these duties, and the neglect of the others she had named to compel them, the Countess constituted the prior and religious men of the Carthusian Monastery guardians of her foundations. Witnesses: Alexander, Commendator of Scone; Patrick Charteris, Provost of Perth. January 24, 1525.

is a strong probability that it was held by the town for that period. Provost Austen, who ran away at the Rebellion of 1715, occupied it then as a linen factory. We find in the Records that some correspondence took place on the subject of a sale in 1723, between the Crown Agents and the Magistrates. The former were instructed by the Duke of Roxburgh to inquire if the Magistrates were willing to part with the property, and at what price, as the King would make it a barracks for soldiers. And they add, "You will be sensible of the advantages that will accrue, particularly as the inhabitants will be relieved from quartering soldiers."

The matter fell through, however, and in 1746 the town presented Gowrie House to the Duke of Cumberland, in recognition of his victory at Culloden. He afterwards, it is said, presented it to Admiral Watson, his nephew, who sold it to the Government for £2,000. The valuation of George Alexander, C.E., was as follows:—

Valuation of ground set apart for the Prison	-	-	-	£850
Valuation of ground set apart for the County Buildings	-	-	-	£834
Valuation of ground set apart for the Town Buildings	-	-	-	£616
North side of South Street to be feued	-	-	-	£600
				<hr/>
				£2,900

The Government converted it into artillery barracks, and it was so occupied till the French War of 1789. In 1805 it was purchased from the Government by the city, or rather an excambion took place—the city giving in exchange a site on which to build a dépôt for prisoners of war, viz., five acres of the Moncrieff lands. It was afterwards sold to the county, and on its site now stands the County Buildings.

## CHAPTER IV.

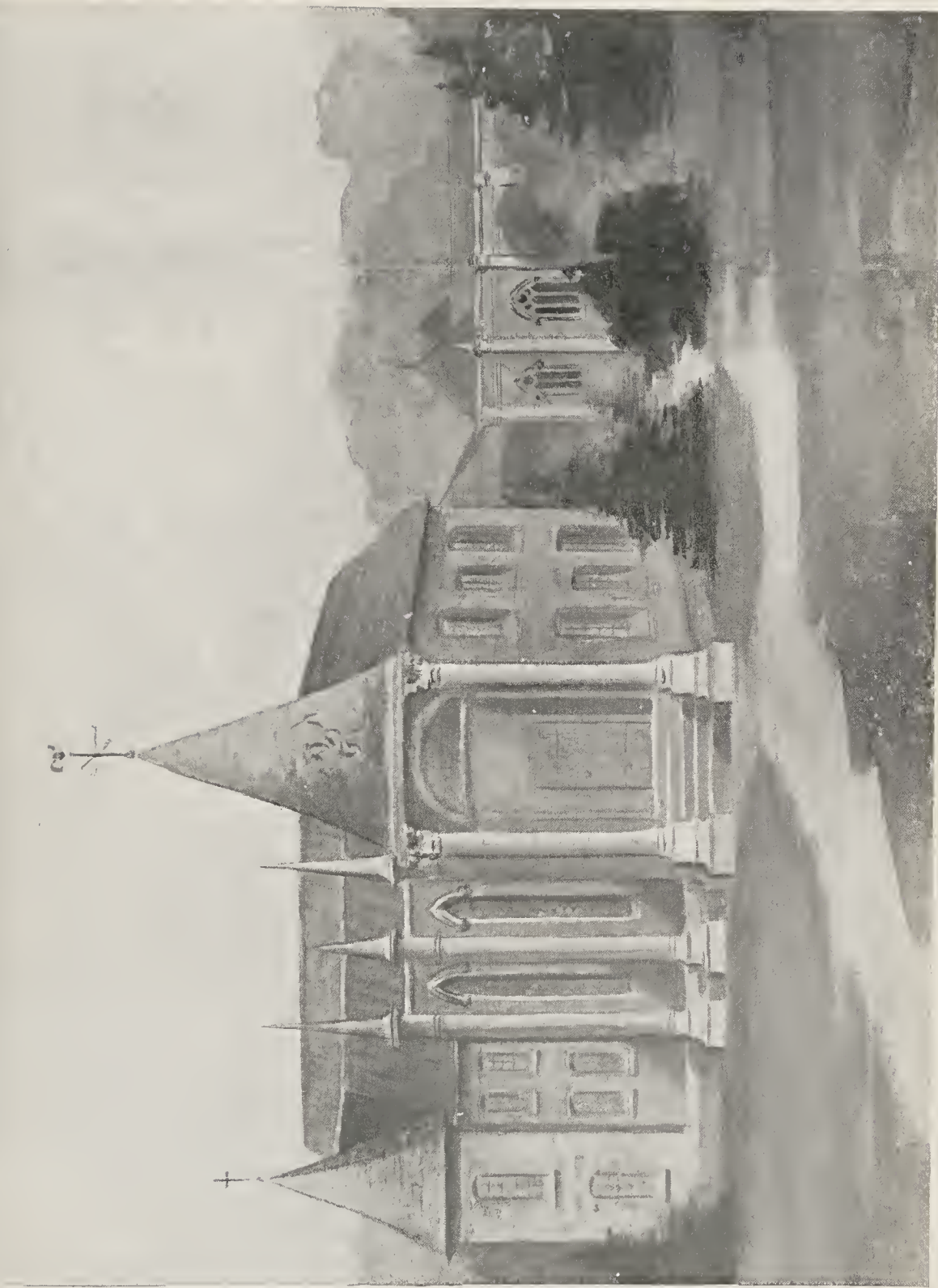
The Four Monasteries and the Ten Religious Houses—The curious Lease of the Blackfriars Croft between the Prior and John Malcolm—The General Appearance of the Monasteries as they were, by an Eye-Witness—The legend of St. William of Perth—The two Hospitals of King James VI.—The Meikle and Little College Yards—Perth Harbour—The great Floods in the River from the earliest times up to 1814—The ancient Bridges washed away and reconstructed—Curious Inscription on General Wade's Bridge—The Bridge that took eighteen years to build and was carried away—The action of the Lords of the Privy Council—John Murray of Tibbermore and the Magistrates quarrel over Pitheavlis Quarry—The Lords of Session settle the quarrel on appeal.

THESE monasteries, the Dominican, the Carthusian, the Carmelite, and the Franciscan, which were swept away at the Reformation, were for the time a great addition to the architectural features of the city. Three of them were built by Scottish Kings, the fourth, the Franciscan, by Laurence, first Lord Oliphant. The Catholic hierarchy had succeeded in the thirteenth century in finally extinguishing the Culdees as an ecclesiastical power, and in substituting clerics in the civil offices of the realm. As a power in Scotland the hierarchy was supreme. Since the time of Malcolm and Queen Margaret it had made great progress, and was now in a flourishing condition, when King Alexander II., in 1231, founded the Dominican Monastery. No doubt

this was to mark the development and prosperity of the Catholic faith and as a recognition of its supremacy. In matters of religion, feeling at that time ran very high. Might was right and the strongest party prevailed. This position the Catholics held until the Reformation. That troublous time represented a period of almost unprecedented activity in the Catholic world. There was the erection of monasteries and religious houses in Perth, works of vast dimensions, and such as could only be carried out with great enthusiasm and under deep religious convictions. And in addition to these buildings, we have the introduction and endowment of no less than forty altars in St. John's Church. The Catholic hierarchy had unquestionably got a firm hold of the people of Perth, and it is noticeable that the Incorporated Trades embraced the Catholic faith and also erected altars there. As the Italian painters in the fifteenth and sixteenth centuries displayed a genius that surprised Christendom, so the Catholic hierarchy in the fourteenth and two following centuries acquired (by conquest so to speak) a position in Scotland and Western Europe which influenced the administration of the realm and guided the destinies of the Empire. Their power, in short, became invincible, until that memorable day in May, 1559, when the mob in St. John's Church shattered to pieces the altars and the precious contents of that sacred building. What, then, was the nature of these remarkable buildings which played so conspicuous a part in the history of the Ancient Capital?

The Dominican Monastery undoubtedly was of fine proportions, and included a handsome tower. The buildings probably formed a quadrangle ; one side,









the south it may be conjectured, was occupied by the chapel and burying-ground attached. Besides the cloisters, in which the friars resided, it contained spacious apartments in which the Scottish kings often lodged, prior to the assassination of James I. The Dominican Monastery was situated at the north end of Blackfriars Wynd, and had its chapel adjoining. Within the principal gate in front of the house was a pretty large court. At the side of the north wall was another court, which is described as having been "a fair playing place ordained for the King." Here James I. played tennis with some of his nobles up to the date of his assassination. In this little chapel conventions of the nobility and clergy were often held, and here on one or two occasions the Scottish Parliament met. The chapel contained altars in honour of St. John the Evangelist and Nicholas the Confessor, and the tombs of some illustrious dead, as of Elizabeth Mure of Rowallan, mother of Robert III., and of certain members of the Errol and Huntly families. The churchyard lay, partly at least, on the west of the Wynd which led from the Castle Gable to the monastery. The ground was extensive, and included the feus of Atholl Place, Atholl Crescent, Rose Terrace, Blackfriars Street, Carpenter Street, Pullar's Dyeworks, and the whole of the ground as far as the Dunkeld Road. The entire property was surrounded by a high wall. It is stated that Edward I. of England on 24th July, 1291, received the homage of the burgesses of Perth and the landlords of the county in the Blackfriars Churchyard, a function that would be of very great importance at the time although no details are recorded. A more tragic interest attaches to the monastery on account of the

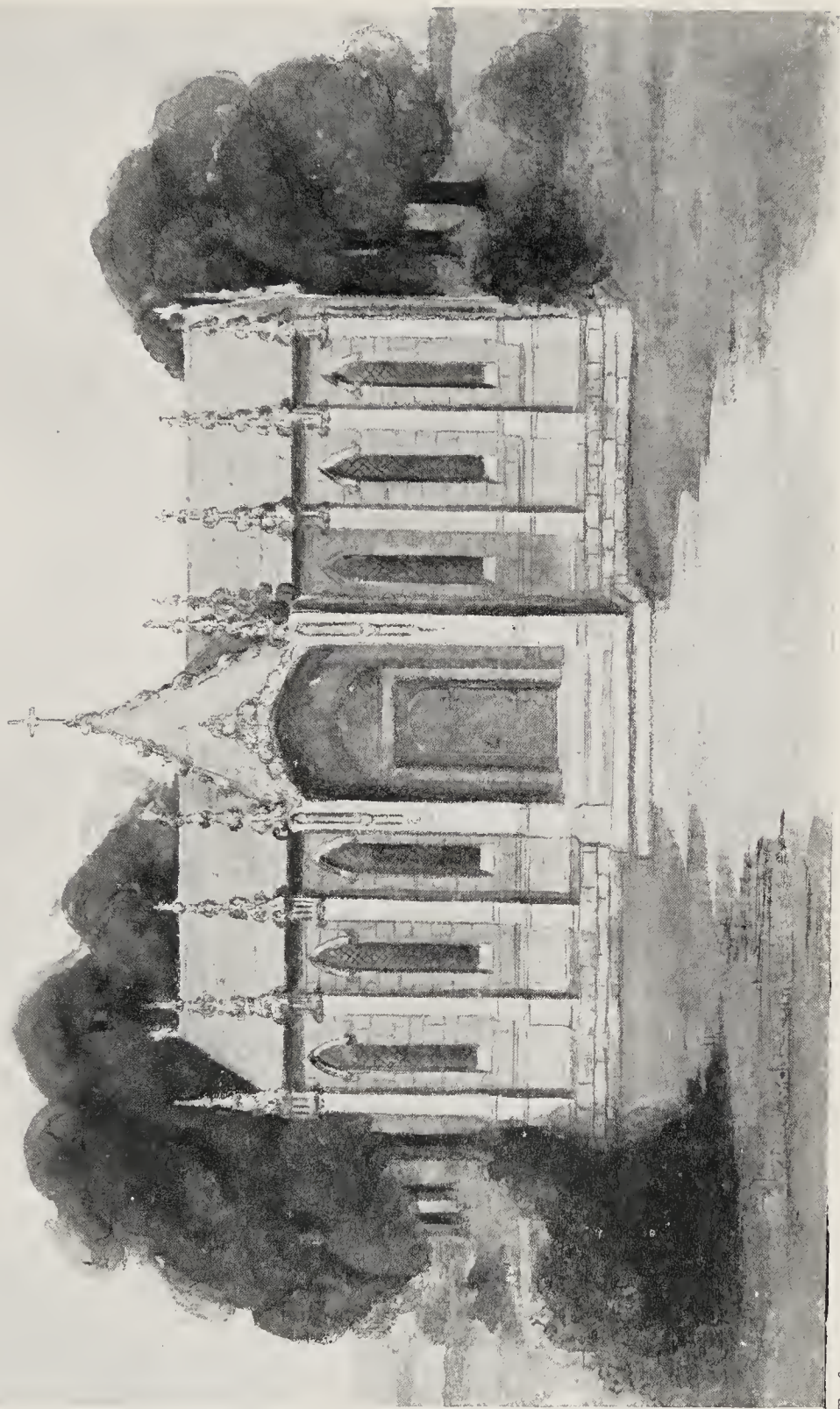
assassination of James I., on 21st February, 1437. The Blackfriars were so called from the black mantles which hung over their white habits.<sup>1</sup>

As illustrating the violent manners of the time, it is recorded that, on 14th May, 1543, between the hours of eight and nine A.M., while the prior was engaged in religious services, certain burgesses, with their servants and others, approached in a tumultuous manner, and forced open the front gate, breaking the bolts and locks. They also forced the door of the dining-hall, and carried away the chandeliers, branches for candles, glasses, etc. From the kitchen they took from the fire the kettle or pan with the friars' food, which they afterwards carried in a contemptuous manner through the streets of the town. James Rhynd, one of the leaders of this outrage, was afterwards elected a bailie. But in January thereafter he and Walter Pyper, another leader, were, by the influence of Cardinal Beton, imprisoned and finally banished from the town.

The matter came before the Regent and Privy Council when an edict was issued, citing the delinquents to appear before them, but nothing further is recorded beyond the action of Cardinal Beton.

The Carmelite Monastery at Tulilum was small in comparison with that of the Blackfriars. It was founded in the latter half of the thirteenth century. They had their beginning and name from Mount Carmel in Syria, and were divided into provinces, of which the one at Perth belonged to the 13th or Scottish province. They were called Whitefriars

<sup>1</sup> Full Dominican dress—white tunic held by a leather belt, white scapular (cape with hood).



THE CARMELITE MONASTERY OF PERTH.





from their outer garment. They came into Scotland in 1257, in the reign of Alexander III. Here Richard, bishop of Dunkeld, built them a chapel in 1262, while Bishop Brown built the west portion from the ground—including two galleries—of hewn stone. Alexander Young was the last prior of the Carmelites at Perth. It would appear that he joined the Reformation movement and became minister of Tibbermore. He was alive in 1593, when John Young was minister of Methven, and was allowed a pension of £20 by Rev. John Rowe and the Kirk Session out of the sequestrated revenues of the monastery.<sup>1</sup>

The Carthusian Monastery (*Vallis Virtutis*) was founded in 1425, through the liberality of James I. and his Queen, who in consequence were considered its chief benefactors. After the murder of James, the general chapter commanded a whole psalter to be recited in every house of the Order on the anniversary of the King, whilst at the death of Queen Joan the same suffrages were offered up for the repose of her soul as were wont to be offered for a deceased brother. From 1516 until the suppression of the Charterhouse, the King of Scotland figures among the princes for whom a mass of the Holy Ghost was to be offered annually, to ensure the peace, tranquillity, and prosperity of his reign.

The founders of the Charterhouse came from what was then known as the province of Farther Picardy, which, we believe, coincides with what is nowadays Belgium. It remained subject to that province until 1441, from which time onward it belonged sometimes to the English province, at

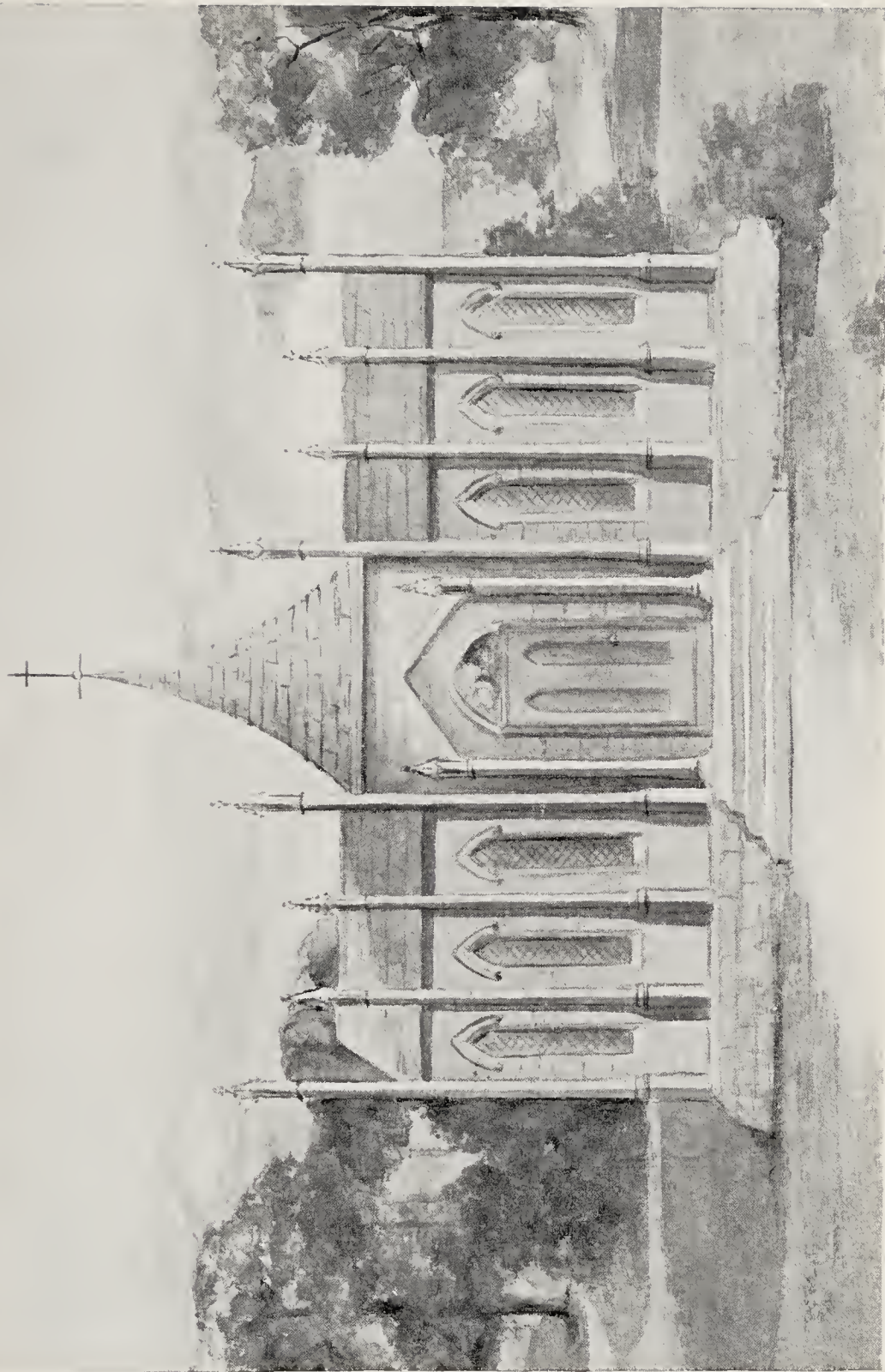
<sup>1</sup> For Charters of the Carmelites, see Chap. xxiv., Vol. II.

other times to that of Geneva, when it was immediately under the jurisdiction of the Grande Chartreuse. These changes took place not less than seven times, and were due to political circumstances, the King himself demanding the separation from the English province.

Notwithstanding its prestige as a royal foundation, Vallis Virtutis was a poor house, and the priors found themselves frequently in pecuniary difficulties. After the death of Simon Farly (1465), the Charterhouse was found to be deeply in debt, and the general chapter granted his successor a respite of several years to meet his liabilities. Finally pressure had to be exercised, and threats were held out in the event of his not complying with his obligations.

The repeated changes from one province to another caused certain difficulties in the observance of monastic customs, while the distance of the Scottish house from the centre of the Order, and probably also the uncongenial climate, so different from that of the French and Italian Charterhouses, had to be reckoned with. Several times the general chapter found itself obliged to withdraw permissions and facilities which had been granted in view of these circumstances. These details, gathered from the acts of the annual chapters, give us a clear insight into the rigorous discipline of the Order, where no shortcoming was tolerated for any length of time.

We have been able to collect the following names of monks from the obituary notices published year by year in the acts of the chapter. It must, however, be understood that frequently the names of the deceased monks were not expressed, and







also that the writers of the acts often found great difficulty in spelling the names correctly, so that it is not easy to discover the true form in every case:—

1430, John Brun, professed monk of Vallis S. Mariae, who had come to Scotland for the foundation of Perth. 1435, John Brasby, first prior of Perth. 1442, Adam de Hannanside, late prior of Perth. 1456, Martin Thorther (Farquhar?) prior. 1459, Maurice Barry, John Trunt, Thomas Whitehouse, Brictius White (or Vitch?), Simon Ward, priests; and Andrew Hutton, deacon. 1461, James Bayn. 1466, Simon Farly, prior. 1467, William Myrton. 1468, Robert Meilb(?). 1469, William, procurator. 1470, Bentus (?) Montgomery, sometime prior. 1472, Andrew Taliafer, prior. 1473, Alexander Cruikshank, Alexander Lomax, Maurice Young. 1475, Peter Serasis (?) originally of Aiginac. 1476, John Hutton.

One of the last Scotch Carthusians was William Chisholme, bishop of Dunblane, who entered the Grande Chartreuse and died there, after having held the post of procurator-general, September 26, 1593. The *Bibliotheca Sixti Senensis* was inscribed to him. Two ancient nunneries at Perth were suppressed, and this monastery endowed with their lands and revenues; one of these was the Hospital of St. Leonard's, where Lady Elizabeth Dunbar, the rejected fiancée of the Duke of Rothesay, had been prioress, the other the Hospital of St. Mary Magdalene.

Adam Forman, last prior of the Charterhouse, when the monastery was demolished by the reformers, was permitted to take away as much gold and silver as he could carry. He then, along with his brethren, retired to Errol, of which church



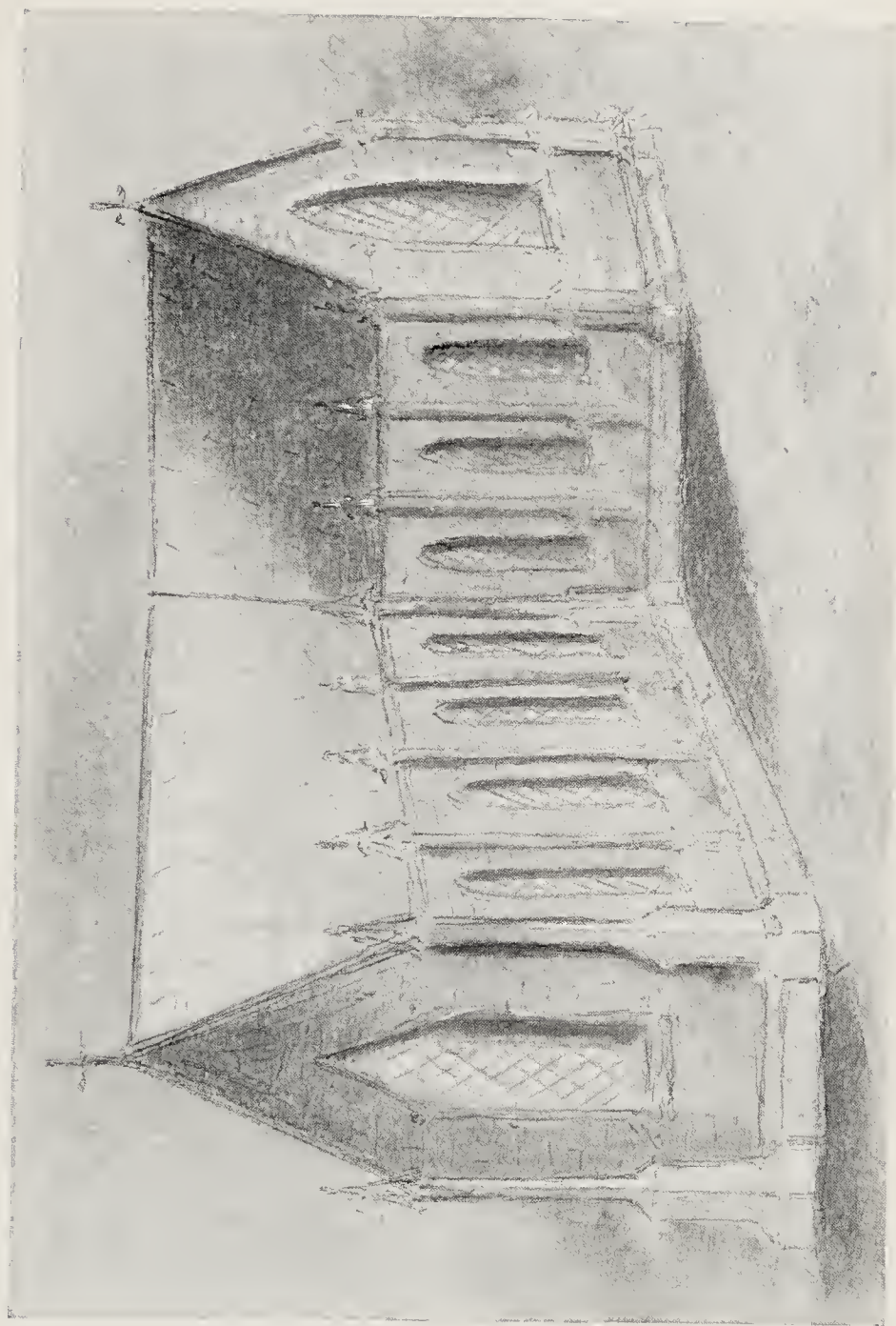
they were patrons. The Carthusian monks wore a white woollen habit covered by a long cowl and hood of the same colour. They invariably took their food in private, festival days excepted. They are said to have observed a constant silence and never went out of the cloister. No women were allowed to enter the precincts of the monastery.<sup>1</sup>

On 14th November, 1569, the Prior and Convent conveyed to John Moncrieff the house, lands, and orchards of the Charterhouse with their tithes, also two tenements within the burgh, and tenements and gardens without the same. Subsequently George Hay of Nethercliff, afterwards Lord Chancellor and Earl of Kinnoull, was constituted Commendator of the Charterhouse, with a vote and place in parliament, together with the whole property, buildings, lands, and tithes "within the enclosure of the monastery of the Charterhouse." In 1598, the same Earl of Kinnoull acquired from James VI. the church lands of Errol on resigning his title of Lord Prior of the Charterhouse. It would appear from an abstract rental of the Charterhouse of 1440, entitled "An inventory of the farm and annual rents of all the lands and possessions of the house of the Valley of Virtue of the Carthusian order, arising from the donations of the kings," that the amount was £62 18s. per annum.

The Franciscan or Greyfriars Monastery was a plain building, without any pretensions, founded in 1460, by Laurence, first Lord Oliphant.

It appears from ancient annals that the Scots Province of the Friars Minor dates as far back as the year 1224, St. Francis being then alive.

<sup>1</sup> Spottiswood.



THE FRANCISCAN OR GREYFRIARS MONASTERY



About the year 1400 it possessed fourteen friaries, but the brethren had somewhat declined from the strict observance of their rule. In the fifteenth century the fame of the sanctity and zeal of St. Bernardine of Siena spread far and wide, and reached the ears of King James I. He desired to have some of the saint's companions, who might rekindle the zeal and fervour of the Friars Minor. And his efforts were crowned with success, for during the pontificate of Pope Eugene IV., Father Cornelius of Liericksea arrived with six brethren, and they gave such edification by the holiness of their lives that, with the help of the King and other noblemen, they built in a few years as many as nine friaries, and these formed the Scots Province, instituted in the year 1517 under Pope Leo X.

The Friary of Perth (oppidum S. Joannis) was the third on the list. "The most noble and pious youth, Jerome Lindsay," says the chronicler, "legitimate son of the Earl of Crawford, hearing of the arrival of Father Cornelius of Liericksea, immediately went to him, and having been clothed by him with the habit of St. Francis, made such progress in virtue that he became a living model of humility, prayer, and abstinence. It was by his advice that Lord Oliphant, who had a great esteem for him, built a friary for twenty brethren of the same Order at Perth out of his own patrimony, in the year 1460, and this became the Franciscan or Greyfriars Monastery of Perth."

Whatever may be said of the friars of the Dominican Monastery, they were men of no mean capacity in matters of business. We have a proof of this in a lease granted by them in 1547 to John

Malcolm of Perth. It is quite a curious document, and we reproduce it in a condensed form for the reader's benefit :

It is apportioned, conceded, and finally agreed between the venerable the religious man Friar Robert Borthwick, Prior of the Blackfriars Monastery at Perth, on the one part, and John Malcolm, burgess of Perth, on the other part, touching the labouring and manuring of the wheat croft belonging to the Monastery. The said Prior and Convent on their part, and John Malcolm on his part, shall furnish equally between them all things necessary, viz.: Each one of them half ploughing with half plough graith or horse, oxen, and all other things necessary thereto; half seed to the sowing of the said croft, with the half of all expenses in ploughing, harrowing, mucking, wading, keeping, shearing thereof, and leading of the corn to barn or barnyards. The entry of the Prior and Convent, and the entry of John Malcolm to be at 1st October next, and to endure for three years crops thereafter, viz., for the crop of '48, '49, and '50 years, and thereafter on 1st October, 1550, the said John Malcolm shall desist and cease from all intromitting with the croft, and without further warning, so that the Prior and Convent and their successors may intromit with the croft at 1st October foresaid, cultivating the same as they shall think expedient, and without impediment from John Malcolm or any man on his behalf; and yearly during the said three years, the crop being dried and put in stook, shall be divided between the Prior and Convent and John Malcolm equally by stook and sheaf upon the ground, or after it has been led to the barn to be thrashed at the expense of both parties equally. Thereafter the corn to be divided between them by boll and firloft, the Prior and Convent to have the due half with the half of the straw that shall grow on the croft for their part, and John Malcolm to have his half with the half of the straw. For the above half corn and straw John Malcolm shall pay to the Prior and Convent forty bolls, with forty pecks bere that grows on his part of the croft well dried, at four



times in the year, viz., ten bolls with ten pecks at the feast of Martinmas, 1448 ; ditto at Candlemas thereafter ; ditto at the feast of Pasch, 1549 ; ditto at the feast of Whitsunday thereafter. And if John Malcolm fails in the thankful payment of the said forty bolls and forty pecks well dried bere yearly at terms stated or in the making of the whole just half of the cost of cultivating the croft ; in that case he shall pay to the Prior and croft eighty bolls well dried for every year he fails, and that for the cost and expenses incurred or to be incurred by the Prior and Convent through his default. It shall not be lawful for John Malcolm to make assignation or settlement respecting the cultivation of the croft nor the profits thereof. And if it should happen (as God forbid) that John Malcolm should die before the outrunning of the said three crops, the day of his decease shall be the last day of his apportionment, and from thenceforth neither his spouse nor his bairns shall have any right or claim of right to the years and crops that shall not have outrun at the date of his decease provided that the crop that shall be sown before his decease shall come to the profit of his wife and bairns, they making expenses and paying therefor as John Malcolm would have done. For the keeping of these premises both parties bind and oblige themselves by the faith and truth of their bodies and by the extension of the right hands to each other. In witness whereof, etc.,

JOHN MALCOLM

with my hand at the pen  
led by Sir Walter Ramsay, notar.

Ita est DOMINUS WALTERUS RAMSAY

notarius in præmissis per supra scriptos  
priorem et Johannem Malcolm rogatus.

In addition to these monasteries, there were the following religious houses :—

Nunnery of St. Mary Magdalene.

Nunnery and Hospital of St. Leonard's.

<sup>1</sup> Our Lady's Chapel, at the foot of High Street.  
Site now occupied by Council Chambers.

St. Laurence Chapel, Castle Gable, gifted by Robert III. to the Blackfriars.

Chapel of St. Anne, mother of the Virgin Mary, south side of St. John's Church.

St. James and St. Thomas à Beckett Chapel, south side of St. John's Church.

Our Lady of Loretto, head of South Street.

St. Paul's Chapel, north-west corner of Newrow.

Rood or Holy Cross Chapel, South Street Port.

St Catharine's Chapel, near Claypotts.

Inchaffray was founded by Gilbert, Earl of Strathearn, and Matilda, his Countess, in 1200. Abbot John, in 1358, in the reign of David II., granted to John Grey, burgess of Perth, a tenement on the south side of North Street (High Street) on condition that one pound of wax was paid to the Abbot of Inchaffray for eight years, three shillings and four pennies in the ninth year, five shillings in the tenth year, and ten shillings thereafter.

All these chapels had altars founded and consecrated to the honour of particular saints, at which masses were celebrated and prayers offered for the souls of the founders and their relations.

A description of the monasteries before the Reformation is of some importance, although there is very little of such material to be found; a fact which is extraordinary as we are not without pre-Reformation literature on other subjects. A distinguished traveller (Professor Tudelph of St. Andrews) who saw these monasteries before they fell, has left the following account of them; he and his companion are supposed to be looking from the south-east shoulder of Kinnoull Hill:—

<sup>1</sup>This is the oldest of the chapels, having been built in the eleventh or twelfth century. Some of these chapels were adorned with towers.

The warden of the Franciscan or Greyfriars Monastery, that building you see nearest us outside the walls, is well known to be the secret favorer of the new doctrines. There are but eight of them in that huge house—good canty fellows, all of them—known to keep an excellent table, and willing to let all the world alone, so that they are not disturbed at dinner-time. But then they are in constant dread of the fire-brands in that princely building you see on the same side of the town farther to the west, who can write although their rules forbid them to speak. Austere fellows they are, those Carthusians, and pride themselves not a little on this their only establishment in Scotland and on the odour they and it are in with the Queen Regent. But for all their austerity, there are queer stories told of them and the nuns in the convents of St. Leonard's and the Magdalenes, both of which are a short distance to the southward. Certain jolly skippers, too, from the coast, under cover of a few oysters or haddocks, wink and glance knowingly towards this *monasterium vallis virtutis*, as the monks call it, while they hint about the many good and ghostly customers they have in Perth. Then there are those Dominicans—beggars they profess themselves, like the Franciscans, and sturdy ones they are. See how comfortably they have set themselves down in that palace you see without the walls on the north side of the town just over the Castle there. Ah, these Blackfriars are your men for the pulpit. If you want a good, easy confessor, go to the chapels of St. Paul's or St. Catherine's you see peering above the trees on the west side of the town, and there find one of the Carmelites or White Friars from Tulilum, a monastery still farther to the west, hid from us by the wood; but if you want a discourse that will keep you quaking for a week, go to the Church of the Dominicans. And well worthy it is of a visit—such walls, such aisles, such windows; the gardens, too, and the gilden harbour. No wonder our monarchs forsook that old gloomy palace (the Castle) at the end of the bridge for the sweet harbour and soft beds of the Blackfriars. Then you have the Chapel of the Virgin

close by the end of the bridge where no traveller, however wearied, omits in passing to put up his Ave. To the west, again, besides the chapels of St. Paul and St. Catherine outside the walls there is a chapel of the Cross or Holyrood at the south west port, the resort of those who have heavy consciences and light purses. Not far distant from the Chartreuse or Carthusian Monastery is a building with a spire in the form of a crown; that is the Chapel of Loretto, like its prototype in Italy famed for its riches, and for having come through the air from the Holy Land at the intercession of all the friars in the town. And a capital speculation they have made of it; for who can expect to hear an ora or an ave put up for him in a place so far travelled, without paying handsomely for it? Some of the populace have long had their eye on the gold and silver which is lying useless there.

From a pre-Reformation picture of Perth we are able to give with some accuracy a drawing of the ancient town, including the monasteries. The picture (enlarged) forms the frontispiece of this volume, and we have employed an artist to redraw and engrave the monastic buildings. These beautiful illustrations will arouse much interest, as we are not aware that they have ever before been put before the public. We do not guarantee absolute accuracy; our sole aim is to convey some idea of the general appearance of the edifices, their situation outside the walls, and styles of architecture. In connection with the Ancient Capital these engravings are an indispensable addition, and cannot fail to be appreciated by the inhabitants of to-day and by posterity. The frontispiece will be found of considerable importance, as showing the ancient wall surrounding the city, also its gates and ports and public buildings; and will

enable the reader to form some idea of the Ancient Capital as it appeared in pre-Reformation times. The illustrations of the monasteries, given in this chapter, will much enhance the value of Professor Tudelph's notes and be a great acquisition to the reader.

#### ST. WILLIAM OF PERTH.

In the reign of William the Lion there would appear to have been a pious and benevolent citizen in Perth named William, said to have been a baker. There is practically no information to be got about his life in Perth, and his very existence has been challenged, many believing that the story of his life is a fable. That view, however, is untenable, as an eminent Catholic writer<sup>1</sup> has specially inquired into the matter, and in 1891 published the result of his inquiries. He gives the legend of Capgrave, which is in the following terms :—

William was a native of Perth, and a baker by trade. While still a young man, he gave himself to piety and works of mercy, and remained unmarried; he was wont to hear mass daily, and he gave every tenth loaf to the poor. Coming early one morning to the doors of the church, he found there a babe exposed. Moved by pity, he gave the child to a good woman to nurse at his expense; he afterwards took him into his household, and at last adopted him as his son. His name, says the writer of the legend, was Cockermay Deveni, or David the Foundling. William made a vow to visit the Holy Land, and having the approval of his parish priest, he went to the church to hear mass, and his pilgrim dress, his staff and wallet were blessed. He took his adopted son David

<sup>1</sup> Rev. T. E. Bridgett.



as the companion of his travels. They reached Rochester, where they spent a few days, visiting the cathedral; thence they were to pass to Canterbury. Whether David had fallen into vice and played the hypocrite, or whether he had received a rebuke and conceived hatred to his benefactor, or whether in some other manner the thing was brought about, we do not know, but David, like Judas, gave himself up to the instigations of the devil. He seems, on leaving Rochester, to have led his master off the high road into a wood, where he treacherously killed him. The body was discovered by a crazy woman, who used to roam half naked about the country. She made a garland of honeysuckle and put it on the head of the dead man. Returning after a few days, she took her garland, tinged with the pilgrim's blood, and putting it on her own brow, was immediately restored to her right mind. When she told in Rochester what she had found, and what happened to herself, the people came out and brought the dead body to Rochester and gave it honourable burial.

Henry Wharton, in his *Anglia Sacra*, prints what he calls the Annals of the Church at Rochester, being the additions made by a Rochester monk (whom Wharton takes to be Edmund de Hadenham) to the *Flores Historiarum* of Mathew of Westminster. The *Flores* have been recently edited with great care by Mr. Luard in the Rolls Series. The Rochester additions end at A.D. 1306, so that they were probably extracted from the local annals by the transcriber about that time. From them we learn the following facts:—That a St. William was honoured as a martyr at Rochester early in the thirteenth century; that he was known as William of Perth; that his martyrdom took place in 1201 near Rochester; that he was buried in the cathedral church; that he had the fame of working miracles;

that he was canonised at Rome by Pope Alexander IV. in 1256. The following entry appears in the Rochester Registers: "Justicia: Angliae Hubertus de Burgo dedit fenestram mediam ad St. Willelmum."

Hubert de Burgh who gave the window in honour of St. William, probably to be placed near St. William's tomb, was Grand Justiciary of England from 1219 to 1230, so that about twenty years after his death William was called "Saint."<sup>1</sup> The evidence for William's existence, his Scottish origin, his martyrdom, his popular veneration as a saint and martyr, and above all his canonisation, in no way rest on the evidence of Wynkin de Warde's Capgrave.<sup>2</sup> "The relics of the Saint repose in the Cathedral Church of St. Andrew, Rochester. St. William's tomb, a plain altar tomb under a recess in the wall, stands at the north end of the north choir transept. . . . There is a passage up the north aisle of the choir, with a flight of steps very much worn by the feet of pilgrims visiting St. William's shrine."<sup>3</sup> The Rev. Samuel Donne attributes the murder of St. William to a stratagem of the monks. Before the Reformation a church in Rochester was dedicated to St. William. For three centuries faith in his miracle-working powers brought thousands of pilgrims every year to his shrine in Rochester Cathedral, and one of the gates of the precincts was named after him, while the offerings made in his honour built the choir of the Cathedral, under the care of the Sacrist, William de Hoo.<sup>4</sup> That St. William was canonised at Rome in 1296, and that

<sup>1</sup> Rev. T. E. Bridgett.      <sup>2</sup> *Ibid.*

<sup>3</sup> Rev. Dr. Scott to Bishop Forbes.

<sup>4</sup> C. G. in "Notes and Queries."

his tomb is to be seen at Rochester, is beyond doubt ; but to confirm his connection with Perth seems to be a matter beyond the power of the student of history. It may seem curious that St. William had no surname, but at that period of Scottish history there were no surnames, if we may judge from the signatures to official documents.

#### KING JAMES VI. HOSPITAL.

This institution was originally founded under the regency of Moray, in 1569, during the minority of the King. There was conveyed to it by Royal Charter the property belonging to the monasteries—Blackfriars, Carthusians, Franciscans, and Carmelites, and other religious houses in the burgh. An annual rent of £69 8s. 8d. was agreed to be paid to the monasteries, the See of St. Andrews, and the Abbeys of Scone and Cambuskenneth. The large endowment of the revenues of the suppressed monasteries had been much diminished, partly, it is said, by mismanagement, by the change of currency, and by the seizure of much of the property by interested persons. Cromwell, in 1651, seized the Hospital, and razed it to the ground in order to get stones for his citadel. Thereupon the revenue was seized and retained by the magistrates. In 1768 the Lords of Session ordained the town to pay it over to the Hospital in all time coming, and to pay £2,000 as bygones. The original object of the Hospital was to provide for the poor of all ages and sexes. Men who were able to work were employed in home weaving ; women, boys, and girls in spinning, making their own clothes, etc. These objects are not now in force. The Hospital

was rebuilt in 1750 by voluntary subscription on the site of the Carthusian monastery, and is not so elegant a building as its predecessor. The governors or managers are the ministers and elders of the four City Churches of Perth. The chief revenue now consists of the rents of the lands of Lethendy. In 1660 the Lethendy Mortification was founded for the behoof of indigent poor by the bequest of Mr. Butters, and added to by Mr. Jackson in 1686, and by Mr. Cairnie in 1745.

The archives of the Hospital are rich in ancient charters and historical documents of local importance, and the governors have highly useful work before them if they would get these catalogued, and the more important put into English. The charter of the first building (erected in 1569) is recorded in the Register of the Great Seal of the same year. It says: "The King with the advice of his Secret Council grants to the poor members of Christ Jesus dwelling then and in all future time in the burgh of Perth—lands, houses, churches, gardens, crofts, annual revenues, etc., that belonged to any altarage or prebendary founded in any church, chapel, or college within the burgh, that belonged to the Dominican friars or preachers, the lesser Friars or Franciscans, the Whitefriars, etc., with the gardens, monastery, and place of the Charterhouse; to be held with the power of collecting revenues through the collector or manager of the Hospital, nominated by the ministers or elders of the said burgh, and of applying these to the Hospital and other pious and divine purposes according to their discretion." All the said lands are now incorporated in the Royal Foundation of the Hospital. The officials appointed before the

Reformation were to enjoy their salary during life. According to the most recent authority,<sup>1</sup> the history of the Hospital has been one of almost continual difficulty and trouble; of difficulty in securing and keeping hold of lawful possessions; of trouble and litigation to recover the best portion of them; of frequent financial embarrassments; always contracting and struggling to get quit of debt. The state of matters is now much more peaceful and prosperous. Its benefits are dispersed among, and help to cheer the declining days of not a few "poor members of Jesus Christ," who by reason of distress or otherwise are unable to sustain their part as they once did, yet shrink from accepting parochial relief.

#### MEIKLE AND LITTLE COLLEGE YARDS.

These properties were connected with the Church of St. John, but how they came to be connected or from what source they came is not recorded. We find in 1627, in the reign of Charles I., that the magistrates were ordained to produce their charters and writs, and "to exhibit before the Lords of Council and Session all charters of whatever kind granted by his Majesty, or his deceased mother, or any of his progenitors, or by the Popes for the time, or by ..... in favour of the complainers or their predecessors, the magistrates and council of Perth, or of the parsons of Perth, concerning the manse of the parish kirk of Perth, and of the pertinents, commonly called the Great College, lying in our said burgh of Perth on the west side of the kirkyard thereof between the yard on the west, the tail of the yard of Thomas Wilson and

<sup>1</sup> Rental Book, by Dr. Milne.



of Alexander Anderson on the south ; the tenement of land, fore and back, with the yard and pertinents, commonly called the Little College on the north, and the said kirkyard on the east part. . . . Wherefore charge is hereby given to summon the forenamed persons by proclamation at the Mercat Cross of Edinburgh, pier and shore of Leith, and other places needful, to compear on ..... and produce the said writs in as good state as when they received them. Given under the signet at Edinburgh, 12th January, 1627."

These lands lay to the west of St. John's Church, the former now occupied by the City Hall, the latter by the Fleshers' Tavern. They once belonged to the Hospital, but a charter granted by Queen Anne with consent of her husband, James VI., conveyed them, along with the Rectory of St. John's, to the Magistrates and Council for behoof of the clergy of the city. A report made by a Committee of managers of 19th November, 1719, speaks of the Meikle College yards, the rents of which the town of Perth has uplifted for many years, and made it their own property—though the same is conveyed in the King's gift to the Hospital. The Session paid John Graham of Balgowan 150 marks for any right he had thereto. On 25th November, 1719, it was resolved to have search made as to the rights of the town to the same, though there is no record of any result. Queen Anne's charter bears that the parishioners of the church, having no ecclesiastical revenues for the upkeep of the ministers save the tithes of the parish and rectory and vicarage of St. John's, granted to the Magistrates and Council of Perth and their successors in office, maice of rectory, tenement building, lands

and big houses, enclosure and gardens, commonly called *Magnum Collegium*, lying in the burgh west of the Cemetery, between Wilson's garden on the south, and the Little College on the north. The Little College yard described as "that house opposite the north-west corner of the church with yard adjacent," still recognisable, has remained under the superiority of the Hospital.

#### PERTH HARBOUR.

In the middle ages the Harbour of Perth was a place of great activity, and it is beyond doubt that an extensive shipping trade was carried on between Perth and the Continent. Provost Mercer was one of its greatest patrons, and of him it was recorded that he had many vessels constantly trading between Perth and continental ports. There were many merchant burgesses in Perth, some of whom also carried on a large shipping trade with various places on the Continent, and made the Fair City in these times quite famous as a commercial centre. This continued till the opening of the Scottish Central Railway sixty years ago, since which time the shipping trade has practically left the harbour. As a proof of the importance of Perth in early times, it is recorded that in 1269 the Customs of Perth amounted to £700; those of Dundee to £800. These were large sums in those days. The original harbour of the port of Perth adjoined the bridge at the east end of High Street, but was gradually removed first to the Shore opposite Greyfriars' burying-ground, and afterwards to the lime shore away from the town. In 1830 and 1834 Acts of Parliament were obtained for enlarging the accommodation, con-

structing a harbour and wet dock, and connecting them with a canal. Powers were also obtained to deepen the channel, so that vessels of 380 tons could come up to the harbour in spring tides, and of 130 tons at neap tides. These works, estimated at £54,000, cost eventually considerably more than double that sum, on account of claims for compensation by the salmon fishery proprietors. Of the gross debt incurred, we believe £70,000 is still unpaid. The harbour and navigation of the river, which latter gives the Provost of Perth the title of Lord High Admiral of the Tay, have always been administered by the Town Council.

#### THE INUNDATION OF THE TAY AND THE ANCIENT BRIDGES OF PERTH.

The inundations of the Tay, whether recorded or not, may be assumed to have occurred at irregular periods during the history of the Ancient Capital; but there was no bridge across the river in early times, if we except that of Agricola, nor is there reference to a bridge directly or indirectly until the reign of William the Lion, when we know that during his reign a substantial wooden bridge spanned the river. The first inundation recorded is in 1210, when a flood of huge dimensions took place. It was on that occasion that the old hill fort at the junction of the Almond and the Tay was swept away, the flood carrying along with it many houses, and destroying the bridge and an old chapel. It was certainly the most destructive of all the floods of which we have any account. It is said to have swept away one half of the town, including the Castle of Perth, the residence

of the King. The town at that period was small, and it was evidently surrounded on this occasion with a great depth of water. The northern or Castle Gable district, having the lowest level, suffered the most. There was a considerable population there, and every house seems to have shared the same fate. It was an appalling event, according to all accounts, many of the inhabitants being very poor, and unexpectedly rendered homeless and destitute. Every house or shop throughout the town suffered to a greater or less extent. The King was a man of energy, and immediately on the subsiding of the water gave instructions to have the houses entirely rebuilt ; so that the population, after much privation, eventually returned to their old quarters. The fillip thus given to the building trade had a powerful effect on the inhabitants, and acted as a stimulant, so to speak, as building operations were not from all accounts confined to what the King authorised, for the town from that date steadily grew in size, and its population increased. We have a very imperfect record of these floods, and the great destruction of property which must have been the result ; but from the damage we sustain in our own time from floods of half the size, we can so far estimate this destruction and its effects on a small but industrial town, where the inhabitants were for the most part poor and strangers to the wealth and comforts enjoyed at the present day. Evidently there were inundations about 1329, 1573, 1582, and 1589, when on each occasion the Bridge was washed away.

In connection with the upholding of the bridge, James IV., in 1503, issued the following edict : "The Lords in presence of the King ordain that

the clerk of the Justice Ayre<sup>1</sup> make an extract to the alderman and bailies of Perth as sheriffs of the same of all fines and finances that shall in the last Justice Ayre by any of the neighbours or indwellers of Perth be raised by them for the upholding of the Bridge of Perth conform to the Charter of King Robert shown and produced before the King ; ordain the clerk to draw the said sums in a place together in the Journal to be shown to the Exchequer for the charging of the alderman and bailies for their accounting, that you may be sure how the sums are disposed of or ordained in the said Charter."

PERTH BRIDGE.

The following address shows that the Town Council of that day were well educated as to the manner of approaching the King, particularly if they wanted money :—

*The Town Council to King James VI.*

*September 7, 1607.*

Most Gracious Sovereign above all, your Highness's subjects in this your Majesty's oldest kingdom, we have come to esteem your Majesty as our father, yea, and as the breath of our nostrils, for besides the common reasons for which others in the land may glory, they have interest in your deliverance among us, our commonwealth, ourselves, our children were most graciously delivered from utter extermination. Our liberties, granted at first by your Highness's most noble progenitor, were almost without rigour revived by yourself. So that your grace is restored, etc.

We have begun the building of the Brig of Tay, and have brought it a good way forward without

<sup>1</sup> Justiciary.



help, saving from your Majesty. While your Majesty was resident among us, you granted us in furtherance of the work exemption from taxation for eleven years, most of which is past. Then your Majesty's most princely favour made the people unwilling to contribute. Now that the Lords will not continue the same without your Majesty's special command, we pray that your Majesty may order them otherwise, or we will be compelled to stop the work. We cannot do more than we are doing, and the multiplication of our best thoughts and affections are at your service.

The next inundation recorded was that of October, 1621, or fully four centuries after that of 1210. This was also an event of great magnitude. After two days' excessive rain, the water rose so high that those who lived in the low houses at the Castle Gable had to escape to higher houses to save their lives. The water rose to the ceilings of the Castle Gable houses. It then rose to the height of High Street, South Street, and the Meal Vennel, while a violent gale blew all the time. The bridge over the river was entirely washed away, and no one could go forth from the houses to render relief. The inhabitants became panic-stricken, and expected to be destroyed. The minister of Perth, the Rev. John Malcolm, ordered the bells to be rung at seven a.m. on Sunday morning, and most of the people, it is said, were by that time able to come to the kirk. He exhorted them to repent of their sins, which had called down the judgment of God upon the town, assuring them if they truly repented and would amend their lives, God would avert this judgment. Malcolm's powerful words, spoken with great feeling and warmth, had great effect on the people, and

moved them to cry to God with tears and to hold up their hands, undertaking to amend their lives, every one of them, and to abstain from their domestic sins. On the following day the waters began to decrease, and Malcolm, who was much respected by the people, was held in greater esteem than ever for his noble behaviour on this memorable occasion. The Town Council and Kirk Session ordered a voluntary collection to be made from the whole inhabitants as an expression of their gratitude to God for their deliverance. This was to be applied for the use of the poor.

This flood is thus referred to by Calderwood: "The sea swirled and roared; waters and brooks were aloft houses. Women and children and much corn were carried away by the spate. The Tay rose so high that it went over the stately bridge at Perth newly complete. The Almond and a loch to west the town came down upon the town on the west side, which was as dangerous as the river on the east. The town was surrounded with water a mile in compass, so that no man could pass out for five or six days, neither could the inhabitants go from house to house because the water covered the streets. Ten arches of the bridge with their pillars were broken down on the 4th October, and one only left standing. Children were let down at windows in cords to boats. Bread stuffs, malt, and meat were spoiled. The people ascribed this judgment inflicted on the town to the iniquity committed at the General Assembly held there. The harvest was so late that grain was not all in till Hallowmas. There was never seen such inequality of prices of victual, never greater fear of famine nor scarcity of seed."

This inundation is thus referred to in Mercer's notes :—"On Saturday, October 13, before midnight, all the people in Castle Gable and the West Port were wet in their beds, being suddenly awakened with the rushing of water, which rose to the height of several feet, and enveloped the inhabitants up to their waists on the floor of their houses. It seemed as if the windows of heaven and fountains of the great deep were opened. It carried away the 11-Bow Brig of Tay. It also carried away the gable of the Tolbooth and Lowswark. The people of the Castle Gable, numbering 300, would have perished if a boat had not come from the Spey Tower to save them. The town was surrounded with water for five or six days, so that no one could enter or leave it, nor could the inhabitants go from house to house, the water being so high. The people in that age were superstitious, and believed that Providence sent the flood upon them because of their sins, and because of schism in the Church Courts and General Assembly."

The calamity on the people was so great that the Privy Council took the matter up and issued the following edict :—"Edinburgh, 25th June, 1622 : The King, desirous of repairing the loss sustained by the burgh of Perth in time of the late harvest by the washing away of the bridge, and for the prevention of future danger by the rising of the Tay, grants commission to David, Viscount Stormont, and Patrick Galloway, minister at Edinburgh, to convene a meeting of the neighbouring gentlemen, and consider what sum of money will suffice for a new building of sufficient and strong bulwarks for keeping the river in the old channel, and by what means the money may be raised, and report. The King

expresses his readiness to give a helping hand in this matter."

Another inundation of the river took place in 1641, but no particulars have been recorded.

The next flood took place in 1773. There was an unusually severe frost, which lasted from 1st January to 11th February. The Tay was frozen over. When thaw set in, the tide raised the ice about four feet. By and bye shoals of ice from the Almond floated down the river north of the bridge, while the river remained firm and unbroken. The river was one sheet of ice for eight miles, from Luncarty to the mouth of the Earn. Then the water, choked up by the ice, submerged the North Inch, broke down a stone and lime wall at the head of it, and lodged in its surface immense blocks of ice eighteen inches thick, piled one upon another, besides tearing up a fine row of trees on the Dunkeld Road. In a short time the town was an island. The water ran through the Castle Gable and Skinnergate, and thence through the Blackfriars grounds. There the ice overturned a substantial stone and lime wall, rushed into the Mill Wynd, and laid the houses six feet under water. Then the pressure of water and the blocks of ice broke down the walls on the west side of the Deadland garden and orchard immediately below the bridge. The ice floating on the North Inch was like moving mountains. Some time after, the ice opposite Gowrie House broke quite across the river, and the water found a free passage under the ice. The people were greatly alarmed. In many places they were living in the upper flats of their houses, and could not get out. A great many huge blocks of ice were lodged in High Street, overturned the walls of the gardens

in the Watergate, while five ships were thrown upon the quay. It is a curious fact that the bridge was very little injured. From the Almond to the foot of the South Inch was one sheet of ice. It was fortunate that the Almond and Isla rose and began to subside twenty-four hours before the Tay rose at Perth.

The bridge which withstood this great flood was evidently the one erected in 1733 by General Wade. On that bridge there was the following curious inscription :

Mirare  
 Viam hanc militarem  
 Ultra Romanos Terminos  
 M. Passum C.C.L. hac illac extensam  
 Tesquis et Paludibus insultantem  
 Per Rupes Montesque patefactum  
 Et indignanti Tavo  
 Ut cernis instratam  
 Opus hoc arduum suâ solertiâ  
 Et decennali Militum Operâ  
 Anno aer. Christae. 1733 perfecit G. Wade.  
 Copiarum in Scotia Praefectus.  
 Ecce quantum valeant  
 Regia Georgii Secundi auspicia.

(*Translation*)

Admire  
 this military road,  
 carried on both sides [of the river] for 250 miles  
 beyond the Roman bounds,  
 defying moors and marshes,  
 opened through rocks and mountains,  
 and laid, as thou seest,  
 across the indignant Tay.  
 This arduous undertaking, through his own skill  
 and ten years' labour of his soldiers,  
 was completed in the year 1733 of the Christian era  
 by G. Wade, commander of the forces in Scotland.  
 See how beneficent is the royal favour of George the Second.



The next inundation occurred in February, 1814. After some weeks of severe frost a thaw set in, and the Almond, which had been frozen over, sent down immense blocks of ice into the Tay. There were also great blocks of ice from mountain streams. The Tay was also frozen over, and from the Deadland to the Friarton there was no egress whatever for these masses of ice. In the neighbourhood of the North Inch and Castle Gable, houses became deeply flooded with water. The water rushed up Canal Street to Spey Gardens, Hospital Gardens and New Row, and these places were completely flooded. Both Inches were several feet under water, so much so that they were available for boats. Many of the streets were in the same condition. Several families were rescued and their lives saved by means of boats sailing up and down the streets. All the sheep and cattle on Moncreiffe Island were drowned, and some sailing vessels were thrown out of the river on to the old shore, where they lay high and dry after the water subsided. The height of this flood is recorded as having been  $23\frac{1}{2}$  feet above the ordinary water level, which enables us to form some conception of the vast extent of it.

The next inundation occurred in October, 1847, happily without loss of life. The flood reached Rose Terrace and all that district in the afternoon, and in the evening it covered the foot pavement and broke over the parapet on which the railings were fixed with a tremendous noise, and immediately filled up the sunk area of these buildings. Scarcely any street escaped. Princes Street and the Edinburgh Road were impassable, while County Place and the Hospital itself were enclosed in several feet of water.

This flood was different from its predecessors in this, that it arose solely because of the rapid accumulation of rain water. There was no flood in the Earn or Almond, but the main body of water is said to have been supplied by the Isla and its various feeders in Forfarshire. The Ericht also came down in great flood, and a portion of the churchyard of Kirkmichael was carried away. The effects of this, as of all inundations in the Tay, are most destructive to house and shop property, undermining the entire foundations. It is well that these floods come at long intervals, otherwise the prosperity of the town would be seriously retarded. It is noticeable that the later floods have not been nearly so destructive as the early ones.

In connection with the inundations, a narrative of the bridges, which from time to time were wholly or partially washed away, seems indispensable. The inhabitants have witnessed many inundations and many catastrophes to the bridges. The first bridge was probably the temporary one erected by Agricola. Between that period and the reign of William the Lion there would doubtless be bridges erected and washed away, but we have no record of these. We know there was a bridge in the reign of that monarch, for at his funeral his brother David, Earl of Huntingdon, met the cortege at the Perth Bridge. This one was afterwards washed away, and in 1329 a bridge composed of stone and timber was erected by the Corporation and opened that year. It was a creditable structure, said to have been a great ornament to the town. It was in a line with High Street, and had a strong gate at the entry from the street. Robert Bruce gave the Abbot of Scone

orders to allow the Magistrates to take stones from Kincarrathie quarry to build this bridge. In 1404 Robert III. granted a charter giving £11 from the funds of the burgh for upholding the Bridge of Tay. The inundations of the river played sad havoc with the little community of Perth and their bridges, and put them to more expenditure than they were able to bear. The King and the Estates of the realm took the matter up, and we find recorded the following deliverance on the subject :—

STIRLING CASTLE, *29th March*, 1579.—Citation of an act of the King and Estates in the last Parliament, imposing a general tax of 10,000 merks on all the lieges for the repair of the bridge at Perth. The act was passed, believing the bridge was decayed, and though the Provost, Bailies, and community had already disbursed money for support thereof, not only their common good, but various taxes and contributions voluntarily raised for repairing thereof, yet the same was not enough. The act empowered the Lords to see how the sum voted should be paid, and to make division of the rent and tax rolls for ingathering thereof. Accordingly, the Lords ordain the said taxation to be uplifted between this and 1st January of all burgesses as follows: £2424 4s. 10d. from the Ecclesiastical Estate, same sum from barons and freeholders, half that sum from the burghs, and a fourth of the sum from the feuars, tenants, and occupiers of the King's properties.

The bridge was re-erected, and was unfortunately carried away again by a flood in 1582; re-erected and carried away again by a flood in 1589. The Town Council and community thereupon got disheartened with the floods, and for ten years there was no bridge at all. It was not till 1599 that arrangements were made to build a bridge entirely of stone. It took some

years to do so. The actual period appears to have been eighteen years. This bridge had ten arches. A great flood again took place in 1621, or four years after the opening of the new bridge, when it was almost totally washed away by the extraordinary strength of the current, and the huge volume of water. This was another great calamity on the inhabitants. It created a great sensation everywhere, the superstitious regarding it as a visitation of Providence. Calderwood, a well-known writer, ascribed the event to "iniquity committed by the town; for there was held the last General Assembly, and another in 1596, when the schism in the kirk began, and in 1606 was held the Parliament at which Bishops were elected, and the Lords rode forth in their scarlet gowns." No more bridges were attempted, as the resources of the people were dried up, and their faith in the stability of bridges was gone. From 1621 to 1771 communication across the river was maintained solely by a ferry, presumably the ferry at the top of the North Inch. The last bridge was designed by Mylne, a well-known local architect, who at his decease was interred in Greyfriars, and has a tombstone there with a poetical inscription. The Corporation and John Murray of Tibbermore, lessee of the quarry from which the stones were to come, quarrelled, and an appeal was made to the King. The following is the case as it came before the Lords of the Privy Council:—

HOLYROOD, 20th *February*, 1596.—Complaint by the Provost, Bailies, and Council of Perth. The great expense sustained by the inhabitants by the frequent repairing of their timber bridge, besides the employment of the common good, has forced them

to raise contributions and taxation from year to year upon the whole town. This has moved the complainers to undertake the erection of a substantial stone bridge by a voluntary contribution, to be collected yearly from the inhabitants while the work is being accomplished. The complainers have already begun their work, and have employed the best masons and craftsmen, depending on His Majesty's subjects for giving them materials at reasonable expense. For this purpose they have endeavoured to negotiate with John Murray of Tibbermore for a lease of his quarry at Pitheavlis. They have not only offered him as much rent as was paid before by any tacksman, but have offered to furnish him with such stones as his customers require and as cheap as before; which offer, and His Majesty's recommendation, he has refused because the quarry is only sublet to him, but he will supply them weekly or daily with such stones as shall be agreed upon. And so by frivolous excuses he intends to hinder the work. The bridge being the connection between the north and south, in case of war or otherwise there can be no passage but by it. He likewise intends to compel the complainers to renounce an action raised by them against him for relief of the poor. His Majesty, in consideration of the great inconvenience which the inhabitants sustained, granted them liberty and immunity to be free from all taxation and other exactions that shall be imposed for the space of eleven years. Before the sublet, and continually since, John Murray and his predecessors have let the quarry to tacksmen for a yearly rent, which tacksmen have always furnished stones to the burgh and county inhabitants past the memory of man. And unless His Majesty and the Privy Council interpose their authority for procuring a tack of the quarry on which the accomplishing of their work depends, the masons hired shall be dismissed, the work cease, and they will be obliged to leave off all further prosecution of it, not to speak of the great expense they have already been put to. The Provost and Magistrates appearing by James Drummond, Andrew Rae, and John Brown Muir, procurators, and Murray being also present, the King with the



advice of his Council in respect that the work is for the benefit of the whole realm ordains Murray to allow the pursuers, their quarriers, and servants a sufficient quantity of stones from said quarry for completing the work of the Bridge, according to the price to be fixed by John, Earl of Montrose, Chancellor, James, Commendator of Inchaffray, Hay of Megginch, William Moncrieffe of that ilk, James Hallyburton of Pitcur, Harry Lindsay of Kinfauns, Sir Walter Rollock, Patrick Blair of Balthayock, and William Shand, Master of the King's Work, to whom or any three of them with the Lord Chancellor full power is given for fixing the price of said stones, with this proviso that the pursuers in carting the same shall in no wise destroy any part of the arable land belonging to Murray, or injure the Mill of Craigie belonging to John Ross of Craigie.<sup>1</sup>

This bridge, as already stated, took eighteen years to build, and involved the Corporation in most serious obligations. Three years after the date of the above ordinance, the King was again appealed to respecting this quarrel with the Magistrates and Murray, and the following was his decision:—

PERTH, *5th April*, 1599.—In terms of a decree of the Lords of Privy Council in an action at the instance of the Magistrates of Perth, ordaining John Murray of Tibbermore to permit them to take sufficient stones out of the quarry of Pitheavlis for repairing the Bridge of Tay according to prices to be fixed by John, Earl of Montrose, and others and any three of these with the Lord Chancellor: Commissioners having been heard, the Magistrates were ordained to pay John Murray the sum of 50 merks yearly in half yearly portions at Whitsuntide and Martinmas until the completion of the bridge; the Magistrates not to exceed the number of three workmen and quarriers.

<sup>1</sup> Privy Council Register.

And so this quarrel was settled. Murray was evidently a troublesome individual, and a considerable amount of expense was incurred before the Magistrates got decree from the Privy Council. Perth was at that period practically without a Provost, for the young Earl of Gowrie, who was Provost, was completing his education at Padua, and Bailie Young and his brother magistrates were administering the town's affairs. This bridge continued to be a serious financial matter for the Magistrates. They were obliged again to appeal to the King for help, and, as will be seen from the following deliverance, it was sympathetically received and considered:—

*The King to the Lord Chancellor and Lords of  
the Secret Council.*

ROYSTON, 18<sup>th</sup> October, 1607.—Whereas before leaving Scotland, on suite made to us for some supply towards the re-erection of the Bridge of St. Johnstoun, we are pleased to grant that burgh, who undertook that work, a special warrant for exemption from all taxes and subsidies for certain years to come; and as we would be sorry they should enjoy any such favour unless they were likely to perfect that work, so if they accomplish the same we will not recal any part of our former liberality. Our will is that you give commission to Lords Balmerino and Scone to make enquiry about the building of the bridge. And if in reporting, they certify to you that the town of Perth are doing their diligence and that there is reasonable hope of their completing the structure, you will allow our warrant granted for their exemption from subsidies, and discharge our collector of these taxations; the town to have liberty to retain the same in their own hands for the furthering and helping forward of the said work.

Accordingly, the Lords having in due course heard the report of Lords Balmerino and Scone to the effect that the inhabitants are "doing their diligence," and have already almost completed two pillars, and that there is every likelihood of their completing the work, conform to the exemption from payment of taxes for eleven years, ordain the sums consigned by the Magistrates for their part of the first term's payment of the late taxation granted by the Parliament held at Perth in August, 1606, to be given up to them by the persons in whose hands they were consigned.<sup>1</sup>

Evidently another flood took place in 1641, and although we have no details we are informed that the Corporation of Perth on that occasion presented a petition to Parliament for a grant of money to restore the bridge. Parliament appointed a committee of three of each estate to consider and report.

The present bridge across the river was the design of Smeaton, an eminent engineer of 150 years ago. It has nine arches and a waterway of 700 feet, while its length is 880 feet. It was completed in 1772 at a cost of £26,500, of which £14,000 was paid by the Crown.

"Near to the waters clear of Tay, and pleasant plains all green,  
In middle ground between them stood Perth proudly like a  
queen.

Of noble kings the stately seat and palace once it was,  
Fair for the site and rich withal for spring of corn and grass.  
To neighbour places all it doth laws, customs, fashions give,  
Her praise to give, theirs to deserve, the same for to receive.  
Of all the cities in these parts walled alone is she,  
Lest she to foes continually a scrambling prey might be.  
What knights she bred and what rewards they were to knight-  
hood due

Danes, Saxons fierce, bold Britons, she the Trojan offspring  
knew.

Happy for praises old, happy for praises new of late,  
Now as thou art thine honour all strive to perpetuate."

<sup>1</sup> Privy Council Register.

## CHAPTER V.

The Ancient Kingdom of Scone—Its Early History—Fortevidot Palace—The Ancient Abbey and Monastery—Foundation Charter of Alexander I., in 1115—The Moothill of Scone—Site of the Ancient Abbey—Royal City—Friars Den and Gateway—Scone a Shipping Port in the Twelfth Century—Establishment of Canons Regular at Scone—Charter of Malcolm IV. in 1164—Coronation of Alexander III. at Scone—Coronation of Robert II.—Meetings of the Scottish Parliament at Scone, 1284, 1286, 1294, 1366—Charter by the Commendator of Scone creating Lord Ruthven Sheriff of Perth—Charter creating Lord Ruthven Perpetual Commendator of the Abbey and Monastery of Scone—Charter granting the Lands of the Abbey of Scone to Lord Ruthven, 1581—The Ancient Earldom of Gowrie, held by Donald Bane, afterwards King of Scotland—Act of Parliament dissolving the Abbey of Scone in favour of David Murray, Lord Scone, and conveying to him the Lands of Scone, forfeited on Gowrie's Attainder.

THE ancient kingdom of Scone will always bulk largely in Scottish history, on account of its great prominence at a period which we regard as prehistoric. The centre of the Pictish kingdom, inhabited exclusively by the Pictish people, Scone, from being a mere hamlet, gradually became the capital of the Picts. Its administration was ecclesiastical rather than civil—at least, up to the middle of the ninth century, when the Pictish rule, as such, terminated. After that period the Scottish kings were crowned at Scone, but were not resident there, although they continued to hold Parliaments on the Moothill. The word Scone means a Cutting: probably the Friars

Den gave it the name [root Lat., Scindere; also Gaelic, Skene].

The earliest mention of Scone is in 710, at which date, and probably for some time earlier, it was the capital of Pictavia, a territory that is supposed to have been that part of Scotland lying north of the river Forth. Scone continued to be the Pictish capital at least up to A.D. 843, when the Pictish kingdom came to an end, and was by conquest (the battle of Scone) amalgamated with that of the Scots under Kenneth M'Alpin. This King was not resident at Scone, but ruled his kingdom from Forteviot Palace. The Pictish kingdom, so much associated with Scone, was thus succeeded by a more extended monarchy, that of the united Picts and Scots. Under its various kings it lasted two centuries, or until the dynasty became extinct in 1029 under Malcolm II. Kenneth, who was the most powerful man of his time, lived and died at the Palace of Forteviot, a Royal residence that has long since disappeared. Forteviot Palace appears to have been contemporary with Abernethy and Scone, but there is little or nothing about it to be found in history. It is recorded that Hallhill, near Forteviot Church, was a summer residence of Malcolm Canmore and other Scottish kings. The Mill of Forteviot, mentioned by some writers, was a place of some note. The miller's daughter is said by tradition to have been the mother of King Malcolm. Forteviot Church is believed to have been founded by Hungus, King of the Picts, but the authority is insufficient. This ruler was in power towards the close of the fifth century; so that if the church was founded by him,



it must have been for Pagan worship, as the Picts were not converted until the close of the following century. On the night before the battle of Dupplin, 31st July, 1332, Edward Baliol with his troops encamped on the miller's acre close to Forteviot. In the reign of Alexander III., the Thane of Forteviot was an important personage, and designated William of Forteviot.

It is recorded that Kenneth had much concern for religion, and that he transferred the Episcopal See from Abernethy to Kilrymont (St. Andrews), the bishop of which was to be chief bishop of the Scots ; a sign that even at that time there were more bishops than one in the Pictish Church, then united to the Scottish Church.<sup>1</sup> This is a statement we cannot verify. St. Andrews was founded as a Roman Catholic See much earlier than the days of Kenneth M'Alpin. He was buried at Iona in 860 ; all the kings down to Edgar in 1098 were interred there. They regarded Iona as the Holy Isle, where it was thought essential that their bodies should rest if they expected happiness in a future state.

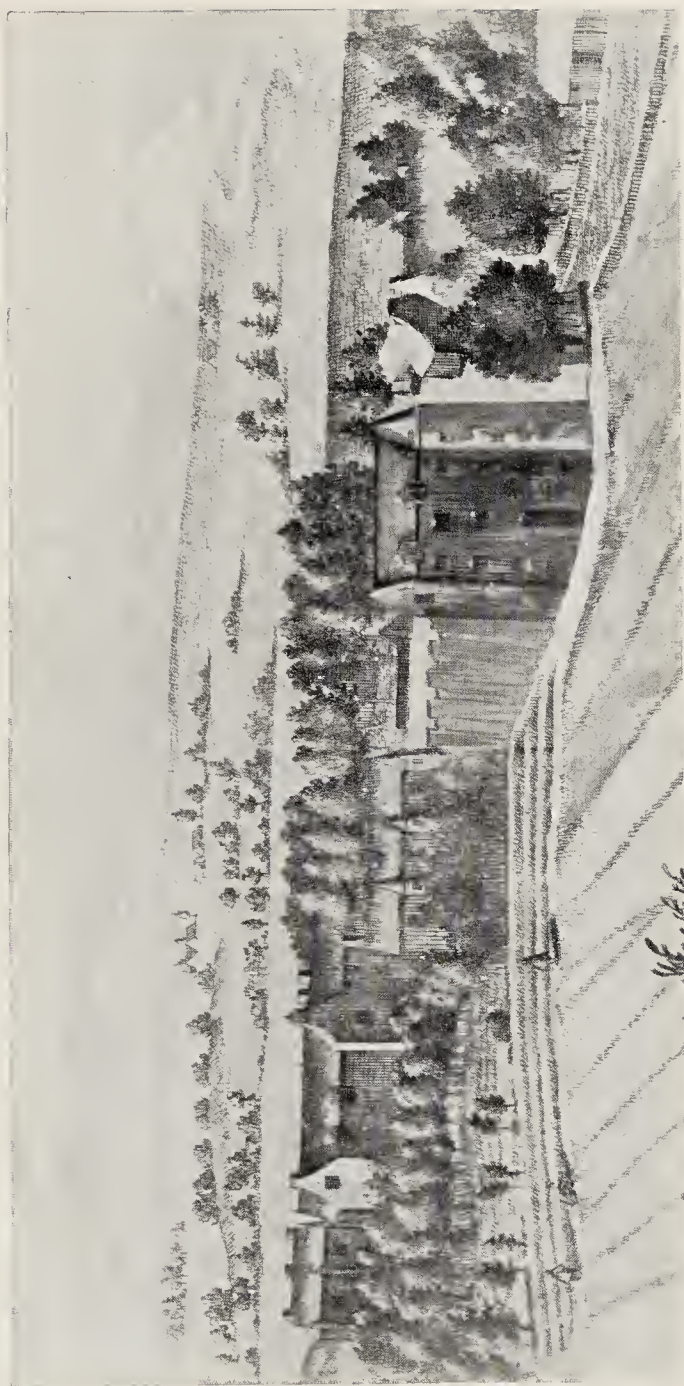
On the Pictish kingdom coming to an end in 843, Scone continued to be an ecclesiastical centre, and for some centuries thereafter was a place that possessed great influence in the Church ; and though the Abbey was not founded till 1115, Scone was an important place long before that period. The most ancient Council in Scotland of which we have any record was held on the Moothill of Scone in 906, at which date it received the title of the Royal City. Skene, a well-known historian, is of opinion that Scone was a royal city before the reign of Kenneth.

<sup>1</sup> Spottiswoode's Miscellany.

In respect that it was the Pictish capital, it would be quite entitled to that appellation before the amalgamation of the Picts and Scots. At this Council, Constantine II. and Killach, the bishop of St. Andrews, with the Scots people then present, solemnly agreed to observe the laws and discipline of faith: the rights of the churches and of the gospel. It was also ordained that the clergy should reside upon their charges, and have no meddling with secular business; that they should instruct the people diligently, and show a good example in their conversation; that they should not keep hawks, horses, or hounds for pleasure; that they should carry no weapons, nor be pleaders of civil causes, but live contented with their own provision; and if they were tried for transgression on any of these points, for the first fault they should be fined, and for the second be deprived of their office and calling.<sup>1</sup> This was a national Assembly held on the Mount of Belief or Moothill of Scone, Scone being the capital.

The history of Scotland, up to the Reformation, may be divided into four periods, viz., the Roman period, terminating in 420; the Pictish period, terminating in 843; from this date to the Norman Conquest of 1066; and from the Norman Conquest to the Reformation of 1560. The Pictish kings were numerous, but we have no authentic information where they resided—presumably Inverness, Abernethy, and Scone. A peculiar law of succession prevailed among the Pictish kings, the right of sovereignty being in the females of the original royal blood, and not in the males. This rule was no doubt adopted to counteract

<sup>1</sup> Spottiswoode's Church History.



To face 140

THE ANCIENT OR ROYAL CITY OF SCONE



the laxity of morals which prevailed amongst the males. Even if the mother had married into another tribe, she could transmit to her children a portion of the blood of the original ancestor of the line. The tribe, whether of the Northern or Southern Picts, who thus secured the eldest female descendant of the first king of the nation secured also the sovereignty of the whole.<sup>1</sup>

From 843 to 1066 there were nineteen kings under the new monarchy, and some of these evidently resided at Forteviot Palace, Scone, and the Castle of Perth. Scone, however, continued to be a place of great importance, on account of the ordinance of Kenneth M'Alpin appointing the Scottish kings in future to be crowned there, in the chair which it is alleged he brought from Dunstaffnage, and which he ordered to be kept perpetually at Scone. This ordinance was observed up to 1651, when the last coronation took place; but all the kings were not crowned at Scone. It was believed that no king had a right to reign in Scotland unless he had first, on receiving the Royal name, sat on that chair. An ancient myth identifies it with the stone which Jacob used at Bethel for his pillow, and anointed with oil, which was afterwards removed to the Second Temple and served as a pedestal for the Ark.<sup>2</sup> This is, of course, mere tradition.

Respecting the Moothill, there is a tradition that at the coronation of the kings, all the barons or landowners who assisted brought in their boots as much earth from their property as enabled them, while standing on their own land, to see the King crowned. After the ceremony they emptied the

<sup>1</sup> Rampini's Moray and Nairn.

<sup>2</sup> Skene.

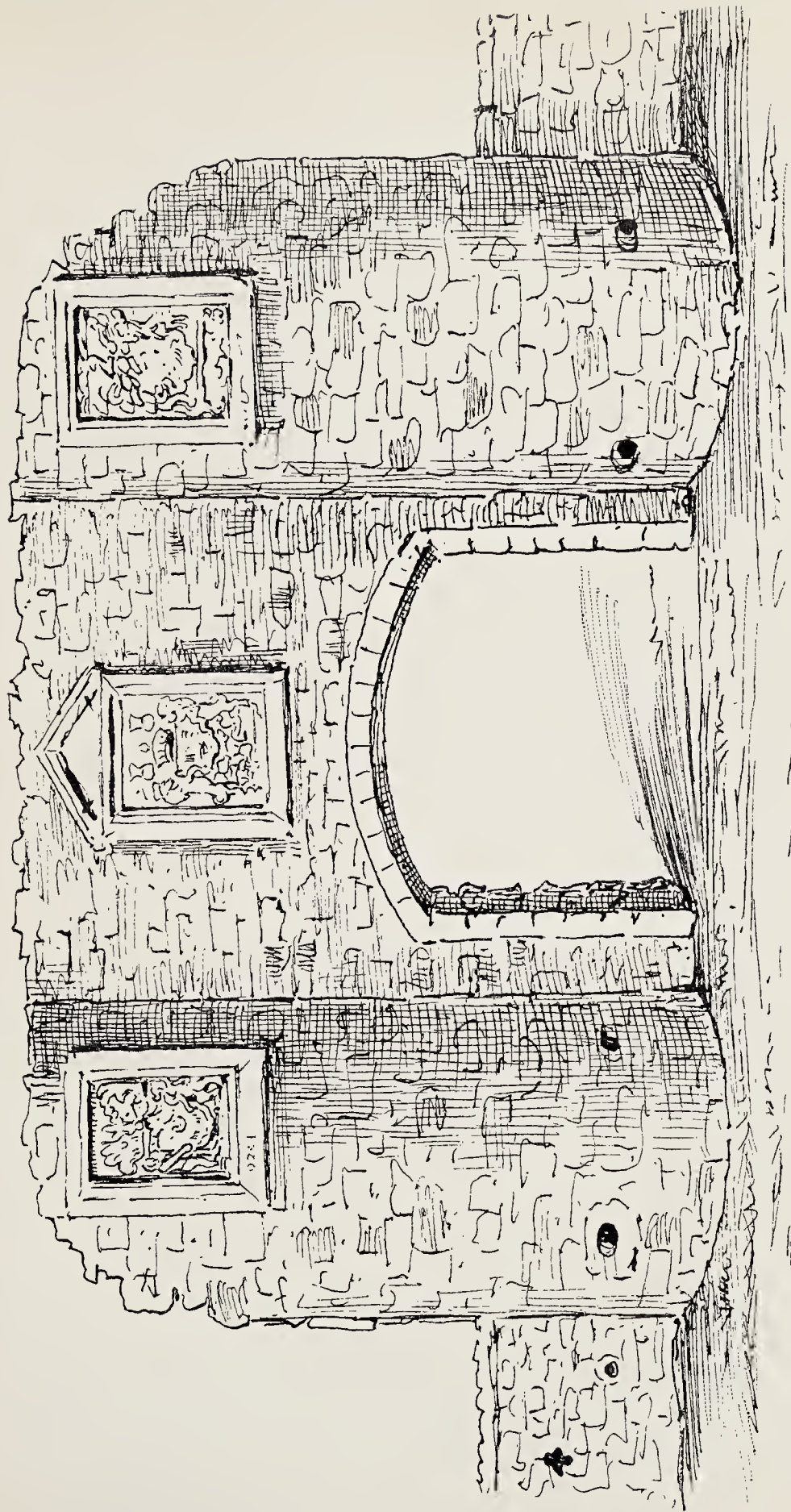


earth from their boots on one spot and thus made it Boothill or Every Man's Land. The Highlanders called it Tom-a-mhoid, the hill where justice is administered. Conventions of the nobles are said to have been frequently held here in ancient times. There is good reason for concluding that the scene of the Assembly to discuss Easter and the tonsure, the crucial point of difference between the Roman and Columban Churches, where we see the king of the Picts surrounded by his nobles, was no other than Scone, and that from the Moothill issued that public decree which regulated the form of the Christian Church among the Picts; that it was here also that Nectan, the Pictish king, dedicated his church to the Holy Trinity; and that it was from these events that the Moothill came to be known as the Hill of Belief.<sup>1</sup> At its dedication the ancient monastery of Scone is said to have been erected into a priory, after the Roman form, and was dedicated to St. Mary, St. Michael, St. John, St. Augustine, and the Hosts of Heaven joined with the Holy Trinity. There were three early kings of the name of Nectan. The first reigned from 456 to 481; the second, 598 to 618; the third, 712 to 727. Evidently Nectan III. is the king who presided at the dedication.

"As the Bell of Scone rang,  
So mote it be."—*Old Saying.*

The Moothill is said to have had a flat area on the top, of 100 yards by 60. About 200 yards east of the Palace is the ancient gateway, which was supported on either side by a round tower (see illustration). Walls

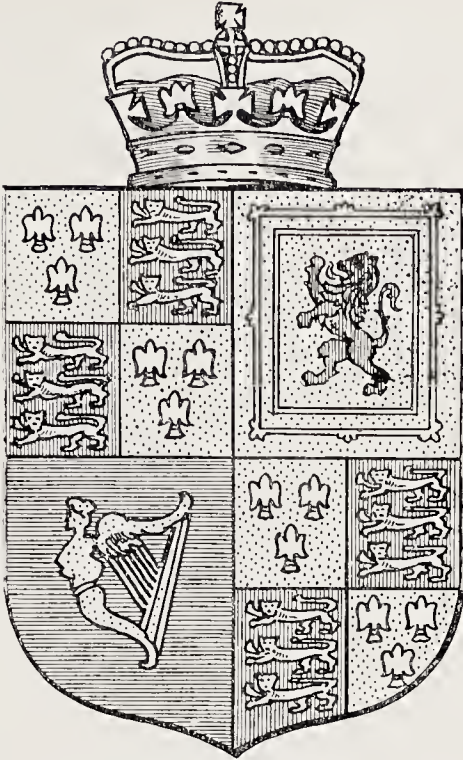
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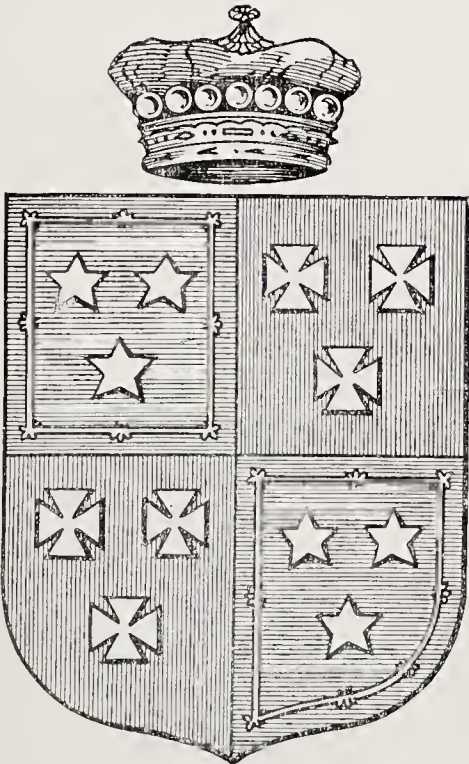
THE ANCIENT GATEWAY OF SCONE



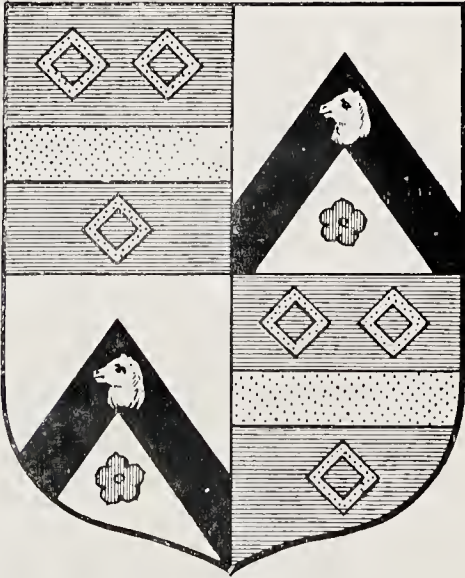
ARMS SCULPTURED ON THE ANCIENT GATEWAY  
OF SCONE.



ARMS OF CHARLES I.



ARMS OF LORD SCONE.



ARMS OF LADY SCONE'S FAMILY.





seem to have been erected from each of these to the ancient House of Scone. Near the gateway is the ancient Cross of Scone, having evidently been removed to this site from its original position. The walls that proceeded from this gateway seem to have enclosed the possessions of the Abbey as well as the Moothill. The Ancient House of Scone, with the Abbey and Abbey Church, were entirely destroyed at the Reformation. The rebuilding of the Palace was commenced some time after that event by William, first Earl of Gowrie, who was the first Commendator of Scone after the Reformation. The edifice was completed by Sir David Murray, who, at the forfeiture of the Gowrie family, received a gift of the estate from the Crown. This building was replaced by the present Palace of Scone in 1803. In 1624, Sir David Murray removed the remaining walls of the Abbey Church, and erected a new church on the top of the Moothill.

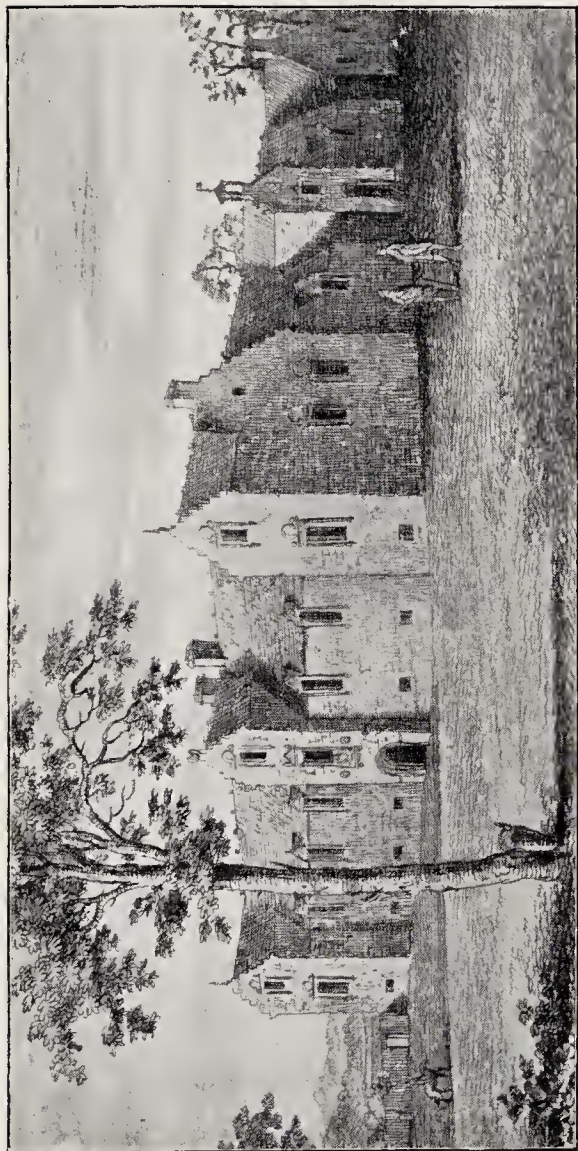
The Abbey of Scone is supposed to have been situated between the present Palace and the old wall south of the ancient gate. Outside of this wall, and extending along the Friars' Den, within the present park or pleasure-grounds of the Palace, was the Royal City of Scone, the site of which was marked by an avenue or street, which still preserves the name of the Chantor Gate, leading from the Gallows Knowe at the south end across the ravine till it reached the road leading to the old gate from the east, which it joined 50 yards from that gate. About 100 yards from the Palace is an old burying-ground. In 1841 the foundation of a small room or cell was found between it and the Palace. It was surrounded by stone seats 15 inches broad,

was about 12 feet in length, and was doubtless connected with the Abbey buildings. Near the same place were stone coffins in good preservation, but from the appearance of the skeletons they appeared to have been out of their original position.

The pleasure-grounds give indications of an extensive burying-place having been there in early times. It was evidently the place of interment of abbots, friars, inmates of the Abbey and Monastery, and very probably of the people. It does not appear that the Ruthven family, who succeeded to the Scone estates after the Reformation, were interred here; but on the attainder of the family in 1600, Sir David Murray (Lord Scone), who was the most capable of King James's ministers, and a nobleman who possessed great force of character, succeeded to the estates by virtue of a Royal Charter. His devotion to the King entitled him to this honour. He erected the family vault situated near the Palace, and this vault has been in use ever since.

On the west front of the Palace is Queen Mary's tree, said to have been planted by her own hands, and not far from this is a tree planted by King James VI. In the Palace is a bed, the embroidery of which is said to have been the work of Queen Mary when in Lochleven Castle. There are several curious beds, one that of Lord Cathcart when Ambassador.

We are informed that, in 1004, Malcolm II. secured a victory over the Danes, after which he called a Convention at Scone to reward those who had done well in the late war, when he gave away



*To face 144*

THE ANCIENT HOUSE OF SCONE



certain Crown lands, reserving nothing to himself but the Moothill.<sup>1</sup> This King's daughter was mother of King Duncan, whom Macbeth slew, and Malcolm III. (Canmore) was King Duncan's grandson. The statement about the Danish war and reward of the victors is regarded by Pinkerton the historian as the merest fable; but we have no material to enable us to determine the point.

Alexander I., son of Malcolm Canmore, issued a writ to the merchants of England, asking them to trade with Scone, promising them protection on condition of their paying custom to the Monastery. This custom was an impost on all ships trading with Scone, from which it would appear to have been in ancient times a small shipping port. About a mile from the river there was, at a comparatively recent period, a bog called the *full sea mere*, which, according to tradition, had been levelled by the tide, and in which workmen when digging found stones similar to those in the bed of the Tay.

An assembly in the reign of Alexander I. was held at Perth, at which the King agreed to restore the ancient Abbey of Scone, the Queen, Alexander *nepos regis* (grandson of the King), two bishops, six earls, and others witnessing and consenting.<sup>2</sup> This official statement is not without significance. If Alexander I. merely restored the Abbey, it is evident he did not found it. It is stated by another authority that in place of the ancient Monastery of Scone, Alexander I. in 1115 founded

<sup>1</sup> Encyclopædia Britannica.

<sup>2</sup> Register of the Great Seal.



an Abbey of Canons Regular. This presumably was the foundation of the ancient Abbey, the successor of the ancient Monastery. The Monastery must have existed for some centuries previously, although its history is lost in obscurity. It was, we are informed,<sup>1</sup> a foundation of unknown antiquity of the Culdees, or followers of Columba. The first prior of Scone was Robert, who was made Bishop of St. Andrews in 1124. The foundation Charter of Scone was granted in 1115, and is as follows:—

I, Alexander, by the grace of God, King of Scotland, son of King Malcolm and Queen Margaret; and I, Sibilla, Queen of Scotland, daughter of Henry, King of England, wishing to beautify the house of the Lord and to exalt His habitation which is in Scone, dedicated in honour of the Holy Trinity, we agree together, and dedicate to God Himself, St. Mary, St. Michael, St. John, St. Lawrence, and St. Augustine, free, unfettered, and exempt from every tribute, and from which Royal dignity and power can free, defend, and protect it. Again, for the purpose of defending and maintaining the worship and honour of God, we have been pleased, God acknowledging, to look out for clerical canons towards the edifice of the pious Oswaldi, concerning which (edifice) the reports of its established rites and worship have been made known to us by the honourable design (or counsel) of worthy men: which things, being conceded to us by the Prior himself from every . . . and subjection. We thus give up to the care and custody of the aforesaid edifice, according to the Order of St. Augustine, the lands also and possessions, and written agreements for the same edifice. We give over as possessions by a perpetual right in behalf of ourselves, and for the fathers, mothers, sisters,

<sup>1</sup> Liber Ecclesie de Scon.

brothers, antecessors, and faithful successors, these lands and possessions : Infernus with five (Carucatis), the lands of Bencharin with three, the lands of Fotheros with one, Kinnochtry with one, Fingask with one, Dufrothin with three, Cleon with three, Liff with six, Grudin with ten, Invergowrie with three ; and five mansion houses—one near Edinburgh, one near Stirling, one near Inverkeithing, one near Perth, and one near Aberdeen ; and a common interest in the River Tay, so that they may fish in it.

I, Alexander, by the grace of God, King of Scotland, by mine own hand confirm these things ; and I, Sibilla, by the grace of God, Queen of Scotland, with mine own hand confirm these things ; and I, Gregory, Bishop, by the authority of God, and of the holy apostles Peter and Paul, and of the holy apostle Andrew, lest anyone shall dare to violate these, I confirm them under an anathema ; I, Cormack, Bishop by the authority of God, and of the holy apostles Peter and Paul, and of the holy apostle Andrew, lest anyone shall dare to violate these, confirm them under an anathema ; I, Alexander, grandson of King Alexander, give testimony concerning these things ; I, Beth, courtier, similarly ; I, Gospatricius, give assent ; I, Mallus, courtier, give assent ; I, Madach, courtier, assent ; I, Rothri, courtier, give assent ; I, Gartnach, courtier, give assent ; I, Dufagan, courtier, give assent.

In the reign of Malcolm a Royal Charter conferred on the monks of the Abbey of Scone the right of holding their own court, and of giving judgment in battle, in war, or in water, with all privileges, including the right of all persons resident within their territory of refusing to answer except in their own proper court. The following is the Charter :—

I, Malcolm, King of Scotland, salute bishops, abbots, friars, courtiers, barons, justices, ex-courtiers,

placed ministers, and all other worthy men throughout the land, French and English, Scots, and clerics and laymen, you may know that I have given over, and in the Charter confirmed to God and to the Church of the Holy Trinity of Scone, to the abbots and canons serving God there, the possession of one curia (in battle, in war, in water), with all liberties justly pertaining to the curia of their religion, with no license of responding beyond their own curia. No one, therefore, of my faithful friends will presume to carry this liberty beyond my bound.

This was a confirmation of that granted by Alexander I. Another curious Charter of Malcolm, allowing the Abbey to have a smith, leather-dresser, and shoemaker, is as follows :—

I, Malcolm, King of Scotland, give salutation to all honourable men throughout the whole land. You know that I have given over, and in this Charter confirmed to God and the edifice of the Holy Trinity of Scone, to the abbots and canons serving God in that same place, the free liberty of possessing at Scone three servants, viz., one blacksmith, one tanner, one sutor. I wish, moreover, and firmly declare that these three servants, while they remain in the employment of the aforesaid canons, shall possess every liberty and every free custom in the burgh and beyond the burgh.

Amongst the Charters in connection with the Abbey of Scone, one of the most curious and interesting is the Charter of Malcolm IV., dated 1164, confirming the foundation. It is of unusual importance as a reflection of the civil and ecclesiastical administration of that early period, especially the administration of the Abbey, the peculiar nature of its revenues, and the interest taken by the King in its prosperity and welfare. We give it *in extenso* :

Malcolm, King of Scots, to the bishops, abbots, earls, barons, justices, sheriffs, provosts, ministers, and all other good men of his whole realm, cleric and lay, French and English, Scots and Galovegians, both present and to come, greeting. Whereas it is known to be a special honour pertaining to the Crown to found churches, and to esteem and care for churchmen, it becomes us in our office of governing carefully to provide for the churches of our realm, and particularly to see that such as by some calamity or attack of the enemy are in distress shall have the greater comfort. Therefore it is that for the honour of God and for the restoration of the Church of Scon, which has been founded in the principal diocese of our kingdom, and which we know to have been destroyed by fire, we have resolved with the consent of our nobles and ecclesiastics to grant confirmation to the said Church and the abbot promoted therein. We accordingly have renewed with the authority of our seal the privileges of our ancestors which have been reduced to ashes in the aforesaid fire, and do give grant and confirm to the said church and the abbot and canons who there serve and in time coming shall serve God, for ever the goods possessions and liberties bestowed upon the said church by our predecessors, viz., King Alexander of worthy memory and the renowned King David, our grandfather, as also by ourselves; and forasmuch as we have seen the copies of the foresaid privileges we ordain that the before-mentioned gifts as conferred upon the said church by the foresaid kings and by us shall be inscribed upon this present page. These are, that to the foresaid church were granted by King Alexander, Inverbuist with five carucates of land, Bencorin with three carucates of land,<sup>1</sup> Fotheros with one carucate of land, Kinnochtry with one carucate of land, Fingask with one carucate, Cloen with three, Dunfermline with three, Liff with six, Gruden with ten, Invergowrie with three; and five tofts—one at Edinburgh, one at Stirling, one at Inverkeithing, one at Perth, and

<sup>1</sup> A carucate was the amount of land that could be worked by a team of oxen.



one at Aberdeen; and two nets upon Tay, one of them in Kincarrathie and the other in the King's isle; and one net in the Forth at Stirling, and the cane and customs of one ship every year or of the ship belonging to the canons of Scon themselves or of any foreign ship which by their means shall be induced to anchor in the King's territory in summer or in winter, and all the skins of sheep being lambs pertaining to the King's kitchen except every sixth skin and this from the north of Lammermoor. And every Lord's day beyond quadragesima except every sixth Lord's day one skin of a cow or an ox likewise from the north of Lammermoor, and the half of the whole tallow and fat and stuffing which belongs to the King's part and the teind (tenth part) of all bread of the King's house, this likewise from the north and the island of Loch Tay with their pertinents and their plenary court with the duel, the iron and the water and all other liberties pertaining to a court and the privilege of answering to no one outwith their own court. In augmentation of the goods of the forenamed church the renowned King David conferred upon the said church these possessions and liberties underwritten. For the light of the foresaid church twenty shillings of the duties of Perth and for the same ten shillings of the rents of the mills of Perth and half of the skins of the beasts slain for the King's requirements from the north of the Tay and half of the tallow and fat of these victims. Also Cambusmichel with the men, lands and waters, meadows, pastures, wood and plain, with the fishings and their right bounds and with all their pertinents, and fully, the whole tenth of my prebend (church revenue) and malt and cane of my skins and cheeses of these my four manors of Gowry, viz., Scon, Cupar Angus, Longforgan, and Strathardle, and the tenth of my mills of Amun (Almond) and the church of Lochforver, with the teinds and rectitudes pertaining to the same, and the church of Kerintun with all pertaining to it, and the teind of the whole parish of Scone in victual, in cheeses, in taking of fishes, and in all other things of which teind is taken and free passage at the Queen's



gate to the Abbot himself and the canons of Scon and their own men and monies without any tax or toll and free liberty of taking material in my woods throughout Scotland wherever they may find it most convenient for them for building the church of Scon and their houses and the liberty of taking fencing material in that wood which is between Scon and Cargill and the native men of the lands and churches foresaid and their children besides those who shall have run off from the said canons and shall be lawfully claimed by them, and liberty to have at Scon three servants—one a smith, one a skinner, one a shoemaker, who while they remain in the service of the aforesaid canons shall have all the freedom and custom which servants of that kind have in my burgh of Perth. And from every ploughland of the whole land of the foresaid church of Scon to the said canons year by year for their conveth<sup>1</sup> at the feast of All Saints one cow and two pigs, and four measures of meal and ten thraves of oats and ten hens and two hundred sheep and ten handfuls of candles and four pennyworths of soap and twenty half mels of cheese. Now we for the honour of God and for the salvation of our souls and the souls of our predecessors to the foresaid possessions of the said church have added these the teind of the corn of Forgrund or if Forgrund be otherwise disposed of then the said canons shall have like teind and common pasture and their men shall be with my men wherever the manors of their ground and mine adjoin. This liberty also we grant to them with the foresaid that no one shall at any time take conveth (tax or duty) upon their lands and men save by permission of the said canons. It is our will therefore and we firmly ordain that the foresaid church of Scon shall possess the churches lands, other possessions and rents and freedoms aforesaid untrammelled and undisturbed fully for ever as freely and quietly and honourably and peaceably as any church in my kingdom holds and possesses their benefices. *Witnesses*—William, the King's brother; Richard, elect of St. Andrews;

<sup>1</sup> Duty paid to ecclesiastical superiors.

Gregory, Bishop of Dunkeld; Andrew, Bishop of Caithness; Gregory, Bishop of Ross; Galfrid, Abbot of Dunfermline; William, Abbot of Melrose; Osbert, Abbot of Jedburgh; Alfred, Abbot of Stirling; Walter, Prior of St. Andrews; Engelram, the Chancellor; Walter, son of Alan the Steward; Richard de Morevill, Constable; Nicholas the Chamberlain; Matthew the Archdeacon; Earl Duncan; Gilbert, Earl of Angus; Malcolm, Earl of Athole; Gilchrist, Earl of Menteith; Gilbert, son of the Earl Ferteth Merleswane; Adam, son of the Earl of Angus; Gillanders, son of Alfwin; Ewain, sheriff of Scon; M., son of Gilfe; William de Lindesay; William de Hay; Galfrid de Connigsburg; Ness, son of William Lineth, sheriff of Perth.—The eleventh year of King Malcolm. At Stirling.

*Charter by Malcolm IV. of the teind of his prebend.<sup>1</sup>*

Malcolm, King of Scots, to all good men of his whole realm, greeting. Know ye that I have given and granted and by this my Charter have confirmed in perpetual alms for the salvation of my soul and the souls of my predecessors to the Church of the Holy Trinity of Scon of the teind of my prebend and my malt and the cane of my skins and of my cheeses of all my manors of Gowrie both of the earldom and my regality as also the teind of all my courts and meetings in gold and silver and whole money of the said Gowrie. *Witnesses*—Engelram, the Chancellor; Walter, son of Alan the Steward; Nicholas, the Chamberlain. At Stirling.

*Confirmation Charter by Malcolm IV. for the holding of a Court at Scone.*

Malcolm, King of Scots, to the bishops, abbots, priors, earls, barons, justices, sheriffs, provosts, ministers, and all good men of his whole realm, French and English, Scots and Gallowegians, cleric and lay, greeting. Know ye that I have granted

<sup>1</sup> The tenth part of his own revenue derived from the Church or Abbey.

and by this my charter have confirmed to God and the Church of the Holy Trinity of Scon and the abbot and canons there serving God, the holding of their court with the ordeals of the battle, the iron and the water, and all liberties justly belonging to a court of religious men, as also with the privilege of answering to none outwith their own court. Let none therefore of my faithful subjects presume to infringe this their liberty upon the penalty of forfeiture at my hand. *Witnesses*—Engelram, the Chancellor ; and Walter, son of Alan the Steward. At Stirling.

Scone was the residence of great dignitaries of the Church up to the Reformation, when the Abbey and church were burned, and from that date it gradually disappeared from history. Between the eighth and fifteenth centuries it had a record of very active life, though only preserved to us in a fragmentary form. The Estates of the Realm were frequently convened there, and many sparkling episodes occurred at these meetings, if we may judge from some which are recorded. The crowning of the kings at Scone was sometimes a very brilliant function. We give an illustration. Alexander III., grandson of William the Lion, when eight years of age, was in 1249 crowned at Scone. The Bishop of St. Andrews girded him with the belt of knighthood, and explained the respective oaths which were to be taken by himself and his subjects, first in Latin and afterwards in Norman French. They then conducted the young King to the Regal Chair or Coronation Stone, which stood before the Cross. The crown was placed on his head, the sceptre in his hand. He was invested with the Royal mantle ; and the nobility, kneeling in homage, threw their robes beneath his feet. A Highland

bard of great age, clothed in scarlet, advanced from the crowd, and bending before the throne, repeated in his native tongue the genealogy of the young King, tracing his descent far back into antiquity. The ceremony was very imposing. Robert II. was crowned at Scone on 26th March, 1371, in presence of the prelates, earls, and barons; and on the following day he convened the said nobles, the King sitting in the Royal seat upon the Mount of Scone. This seat must not be confounded with the stone seat, which was used at the Coronation only, and was kept in the Abbey Church. The Royal seat referred to was placed on the Moothill, and used when the King presided at a Parliament or Court of Justice. It was on this seat on the Moothill that Robert Bruce was crowned in 1306, after the Coronation Stone had been removed. The same authority<sup>1</sup> informs us that the reign of David I. is the true commencement of Feudal Scotland and the termination of Celtic Scotland.

An important meeting of the Scottish Parliament was held at Scone, on 5th February, 1284, when it was resolved to acknowledge the Maid of Norway as heir to the throne. This Parliament was attended by thirteen earls, twenty-four knights, and six barons. The Royal infant was daughter of Eric, King of Norway, and Margaret, daughter of Alexander III. This resolution was ratified by another Parliament at Scone on 12th April, 1285. In the same year a great controversy arose as to the Macbeth succession to the Crown, the claimants being cousins, Walter Stuart and William

<sup>1</sup> Skene.

Comyn. The controversy was settled by a Parliament at Scone, Stuart getting an earldom and Comyn a barony. In 1286 this wise and good King, Alexander III., died, leaving the kingdom to all the miseries of a divided Regency and a disputed succession.<sup>1</sup>

On 11th April, 1286, a Parliament was held at Scone, which appointed a Regency, in view of the accession of the Maid of Norway. The Regency consisted of the Earls of Fife and Buchan, the Bishops of St. Andrews and Glasgow, John Comyn of Badenoch, and James the Steward of Scotland. Unfortunately, the little Maid of Norway sickened and died on her passage to Scotland in 1292. This was a great calamity to the Scottish people. One of the commissioners to bring home the Royal infant was David Wemyss of Wemyss Castle, Fife, who received on the occasion from King Eric a silver rosewater basin, which may to this day be seen at Wemyss Castle, a relic of priceless value.

When John Baliol held his first National Council at Scone in 1292, Macduff, Earl of Fife, was summoned to answer for taking forcible possession of lands which were in the custody of the King. He defended himself, but was found guilty and imprisoned. He appealed to Edward, who summoned Baliol to answer to the charges of Macduff. Baliol disregarded the summons.

At a Parliament at Scone in 1294, all Englishmen were ordered by the Scottish barons to be dismissed from Baliol's Court, under pretence of economy, as English influence was becoming intolerable. The latter then made a treaty with France, and resolved

<sup>1</sup> Wilson, Prehistoric Annals.



on war with Edward. Many estates in England were at this time held by English barons. A council of four bishops, four earls, and four barons was appointed, without whose advice Baliol was debarred from performing any public act. In 1296 Baliol was deprived of his Crown, and, being a very weak man, was sent by Edward to the Tower. Edward proceeded to Scotland with an armed force, and reached Perth, where he stayed for some time, and received the homage of many of the Scottish nobles. At this visit he went out to the Abbey of Scone, and carried away the Coronation Stone, or Stone of Destiny. This, with the Scottish Sceptre and Crown, he placed in Westminster Abbey.

A Parliament was held at Scone on 20th January, 1366, attended by bishops, abbots, earls, barons, and others. Thirteen representatives were chosen to represent certain burghs, Perth included. Another Parliament was held at Scone in September, 1367, to consider the depreciation of the Royal revenue. It was resolved that the patrimony of the Crown must be restored to the condition at which it stood in the time of Robert Bruce and Alexander III., and that all rents and duties disposed of or abolished should be restored.

Passing on to 1560, we find that in that year William, Master of Ruthven, acquired from the Abbey of Scone, and Patrick, Bishop of Moray, Commendator thereof, certain lands, parks, woods, and fishings in the Regality of Scone and Sherifffdom of Perth. This agreement was signed on 6th September, 1560, by William Ruthven and his father, Patrick Lord Ruthven, in presence of the following witnesses Patrick Murray of

Tullibardine, Henry Lord Methven, Robert Murray, Andrew Ruthven, Malcolm Bower, Jas. Drummond, Allan Justice. It is said the Ruthven family had a residence in Scone in 1593, from which it may be presumed that they had restored the Palace, which had been burned down at the Reformation.<sup>1</sup>

At this date the Ruthven family were proprietors of Scone, and a Charter in their favour by the Abbey of Scone is recorded in 1569 as follows :—

*Charter by the Commendator and Convent of Scone creating William Lord Ruthven shireff of Perth and his heirs heritable Baillies and Justitiaries of all and sundrie the lands and possessions of the Lordship and Regality of Scone with power of levying escheats repledging etc.: And giving 100 pounds of Baillie fee. Containing precept of Sasine dated 6th April 1569.*

To all by whom this Charter may be seen or heard Patrick Bishop of Moray Perpetual Commendator of the Monastery of Scone—for grateful actions and help and council to us—by a noble and potent Lord, William Lord Ruthven Sheriff of Perth: Make constitute etc. the said noble lord and his heirs—male our true lawful undoubted etc. baillies and heritable justiciaries of All and singular the lands possessions etc. of the lordship and regality of Scone, giving him power to hold Courts of Bailliary and Justiciary, to levy escheats etc.

Dated at Scone 6 April 1569.

Signed by Patrick Bishop of Moray and by the Prior and sub-Prior of the Monastery of Scone.

In 1580 John, third Earl of Gowrie, was by Royal Charter created Commendator of the Monastery and Abbey of Scone. This important document we reproduce *in extenso*, as it is a link of no small moment in the historical narrative of the ancient Abbey of Scone.

<sup>1</sup> Statistical Account.

*Charter under the Great Seall creating John Ruthven lawfull son of William Lord Ruthven, Treasurer, Perpetuall Commendator of the Monastery and Abbacy of Scone giving to him the benefice of the same with all and sundry lands Lordships Baronies teinds and others as well spiritualitie as temporalitie of the same which of old belonged thereto with right and privilege of and free Regality during all the days of his lifetime, fallen in his Majestie's hands by the decease and forfeiture of Patrick Bishop of Moray late Commendator thereof. Dated 7th May 1580.*

James by the grace of God etc. To all men to whom these presents shall come : Be it known that because we have made constituted and ordained and by the tenor of these presents we make constitute etc. our lovite John Ruthven lawful son of our chosen and faithful cousin and councillor William Lord Ruthven our Treasurer perpetual Commendator the Monastery and Abbacie of Scone giving granting and providing to him the benefice of the same with All and singular Lands Lordships Baronies Castles Towers fortalices palaces monasteries manor places etc. etc. as well spiritual as temporal [with all the payments in use to be made to and pertaining to the said Abbacy] For all the days and term of the life of the said John, whether vacant and in our hands by the decease or forfeiture of Patrick Bishop of Moray Commendator of said Monastery: Holden and having the said Abbacy with lands lordships places teinds teind sheaves and others with power to let on long and short leases and to reduce those granted by the said Patrick Bishop of Moray or his predecessors against the laws and statutes : with power also to the said Commendator of giving and dispoing all the benefits chapels prebendaries and altarages which to the donation of the said Abbacy pertained. . . .

There is a Charter of date 20th October, 1581, by King James the Sixth, who, understanding

that the lands, etc., lately belonging to the Monastery of Scone, pertained of old to the Earls of Gowrie, and were granted by them, with confirmation thereof by the King's royal predecessors to the said Monastery for such suffrages as are now abolished, so that equity and conscience alike demand that they should now be restored to the representatives of their ancient possessors; grants them, therefore, to William Lord Ruthven and Dirleton, created Earl of Gowrie, as the representative of the ancient Earls. For this purpose the said lands have been resigned in the King's hands by the Comendator of the said Monastery, with consent of the Iconymus Administrator and Convent thereof. The lands are enumerated at length, being the barony of old called the Barony of Gowrie, afterwards the Barony of Scone.<sup>1</sup>

<sup>1</sup> Register of the Great Seal.

## CHAPTER VI.

BARONY OF GOWRIE—Family of Ruthven.

BARONY OF SCONE—Family of Murray, Viscounts Stormont, and Earls of Mansfield.

BARONY OF KINNOULL — Families of Erskine, Crichton, Oliphant, Hay.

BARONY OF GRAY AND KINFAUNS—Family of Gray, Family of Charteris of Kinfauns.

BARONY OF BALHOUSIE—Family of Eviot.

### THE ANCIENT EARLDOM OF GOWRIE.

THE early history of this ancient Earldom prior to 1581, when it was conferred on the Ruthven family, as fully recorded in this chapter, is involved in obscurity. The kingdom of Scone ceased to be so called at the close of the ninth or early in the tenth century, and was thereafter known as the kingdom of Alban for the three succeeding centuries, when it became the kingdom of Scotia. Scone was the capital, as already stated, of the ancient province of Gowrie, which formed part of this Kingdom. The Earldom of Gowrie was evidently created in the eleventh century. It is recorded that Donald Bane, brother of Malcolm Canmore, and son of Duncan I., King of Scotland, was in 1060 created Earl of Gowrie. He became King of Scotland in 1093, when the Earldom of Gowrie merged in the Crown.<sup>1</sup> His son, named Madoch, was Earl of Atholl in the reign of David I. (Malcolm Canmore's son). The Atholl

<sup>1</sup> See Charter of Malcolm IV., p. 152.



and Gowrie Estates were evidently under one and the same owner at this period, but it is not recorded how or when Donald Bane got possession of these lands. They evidently passed out of his family when Alexander I., his nephew, gave them to the Abbey of Scone. The history of the lands from their acquisition by the Abbey until the Reformation is very obscure. In Sir David Lindsay's Heraldic MS. there is a coat-of-arms under the name of "Cambroun, Earl of Gowrie." This is the same name as Cameron. In the Register House there is a Seal of Sir Robert Cameron or Cambroun of Baledgarno, which was attached to a Homage to Edward I. in 1296, and which bears practically the same arms as those given by Sir David Lindsay.

Mention is made of the old Earldom of Gowrie as lying between the Earldom of Atholl and the province of Fife. It formed, along with the Earldom of Atholl, one of the seven ancient provinces of Scotland prior to the Scottish Conquest, but after the Scottish dynasty was seated on the Throne it was attached to the province of Fife.<sup>1</sup> Bower, says Skene, makes the statement that Alexander the First received at his baptism as a donation from his father's brother, the Earl of Gowry (Donald Bane), the lands of Liff and Invergowrie, where, after he became king, he began to build a palace, but finally conferred these lands upon the Abbey of Scone. In fact, these lands are contained in the foundation Charter of Scone by King Alexander the First. It is only Donald Bane who can be referred to as the Earl, and who held the Earldom of Gowrie as an appanage. There

<sup>1</sup> Skene's *Celtic Scotland*, vol. iii., p. 275.

were no subsequent Earls of Gowrie, so far as can be discovered from the Public Records, until the title was conferred on the Ruthvens.

The lands which were called the lordship, barony, and regality of Scone, erected into the Earldom of Gowrie in favour of William, first Earl of Gowrie, having fallen into the King's hands through the forfeiture of Gowrie, and it being alleged that part of these were feued to various persons after 6th March, 1558, without confirmation of his Majesty's mother or his Majesty thereupon, so that the said infestments were null by an express Act of Parliament; His Majesty ordained that these lands, with all their rights, abide with David Lord Lindsay, Earl of Crawford, his heirs and assignees, for true and faithful service to the King; no confirmation to be of any infestment of feu farm yet unconfirmed of any lands belonging to the Abbey except at the request of the Earl of Crawford and his heirs, for composition to be paid to them.<sup>1</sup>

This is another illustration of the incorrectness of the entries in the Privy Council Register at that period. This entry appears on the Register of 1582. William, Earl of Gowrie, was not executed till 1584, and was consequently alive at the date of this entry. The lands remained in the possession of the Gowrie family till 1600, when they were forfeited at the time of the Gowrie Conspiracy.

In 1606 an Act of Parliament was passed erecting the Abbey and lands into the Barony of Scone in favour of Sir David Murray, Lord Scone. This Act was in the following terms :—

<sup>1</sup> Privy Council Register.

*Act of Parliament dissolving the Abbacy of Scone and patrimonie of the same spirituality and temporality thereof from the Crowne and empowering his Majesty to erect the same in ane Temporall Lordship In favour of David Lord Scone his Majesty's Comptroller and his heirs male whilkis failzieing To Andrew Murray of Balvaird and his heirs etc.: To be holden of his Majestie for yearly payment of 1000 pounds Scots in name of blench ferme and paying the Ministers stipends. Under the signe and subscription of Sir John Skeen of Curriehill Clerk Register dated 4th Februarie 1604.*

At the Parliament holden at Perth the nynt day of July the yeir of God 1606 yeiris be virtew of our Soverane Lords Speciall Commission granted to that effect under His Majesties Great Seall of the dait at Hamptown Court the fourt day of Februarie 1604:

Lords and esteates of this present Parliament.— —Considerding the guid trew and thankfull services monyways done to his hienes be David Lord of Scone his graces Comptroller: And for uther great responsabill profittable and causes notorullie known be the saidis esteates

disponit and be the terms of this Act: Dispones from his Hienes Crown and patrimonie theirow and from all annexationes theirow of before: And also from the Abacie of Scone and Patremonie of the same simply and for ever All and Sundreie the landis barronnis mansionnis manor places yairds etc. etc. and uthers whatsumever of the temporalitie of the Abacie of Scone with pairts etc. of the same: And also with all and sundrie the kirkis chaplainnis and altarages of the said abbacie with all teyndshawis utherwis teyndis etc. belonging to the said Abacie and Monastie of Scone as well to the spiritualitie as temporalitie theirow and monkes portionnis of the same or ever possessit be the abbottes and commendatores theirow for the tyme whether property or patrimonie of the same baith

And whilkis thereafter pertenuit to His Soveraine Lord be vertew of whatsumever actis of annexation speciall or generall be

resson of forfalture or whatsumever uther maner of way: And the said esteates Declaris heison to our said soverane lord To make gif grant and Dissprove the same to the said David Lord of Scone and to his airis maill lawfullie gotten or to be gotten of his bodie Whilkis failzieing to Andro Murray of Balvaird and his airis maill lawfully gotten or to be gotten of his bodie heretabillie: And for erection of the saym to them in ane haille and free temporall Lordship and barronnie callit and to be callit In all tyme cuming the lordship and barronnie of Scone To be holdin of his hienes and his successors in free heretage free lordship and barronnie for ever For the yeirlie payment to his Hienes of ane thowsand pundis usuall money of Scotland at the terme of Whitsonday: In name of blenche ferme allenarlie and theirwith the ministeres of all and sundrie the parochie kirkis of the said Abacie being provydit of reasonable yeirlie stipendis and rentis to be paid to them out of the teyndis and duties."

The Seal of the ancient Abbey was interesting. It represented the Trinity with the mystic *vesica piscis*, surrounded by the four Evangelists, and below, the figure of St. Michael and the Dragon. On the obverse, the coronation of the King; below are the Royal Arms between the pales of Ruthven and the chevrons of the Earldom of Strathearn.

The following entries respecting the Abbey of Scone appear on the Register of the Great Seal, 1546-80:—

Patrick Bishop of Moray is styled perpetual Commendator of Scone, and is granting charters of the lands in the lordship and regality of Scone, 9th August, 1559. Confirmed by the Queen 12th July, 1563.

Charter dated at Edinburgh, 19th July, 1564. Confirmed by the Queen 2nd April, 1565.

Charter dated at Kinnaird, 21st October, 1560. Confirmed by the Queen and King, 13th February, 1565-6.

Charter dated 25th September, 1563. Confirmed by the Queen, 26th March, 1567.

Charter dated at Scone, 8th March, 1566. Confirmed by the King 22nd November, 1569.

24th November, 1569. The King confirms a charter by Patrick, Bishop of Moray and Perpetual Commendator of Scone, and by the Convent thereof, whereby they appoint William, Lord Ruthven, sheriff of Perth, and his heirs male, their bailies and heritable justiciars of the lands and possessions of the lordship and regality of Scone wherever they be within the kingdom with the fee of £100 of the readiest of the rents; dated at Scone, 6th April, 1569.

Charter of Confirmation of the King, dated 19th March 1573-4, of Charter by Patrick, Bishop of Moray (as above), dated at the Monastery of Scone, 7th February, 1565.

Charter dated at Inverness and Scone, 9th June and 19th January, 1566 (one witness being Sir Henry Abircrumby, prior of Scone). Confirmed by the King, 4th January, 1577-8.

7th May, 1580. The King appoints John Ruthven, lawful son of William, Lord Ruthven, his Treasurer, for his lifetime, Perpetual Commendator of the Monastery and Abbey of Scone, vacant by the death of Patrick, Bishop of Moray, or by his forfeiture.

This brief outline of Scone as a royal and ecclesiastical seat is but a chapter in the historical narrative of that ancient kingdom. In early times it was a place of great importance, and continued to be so for several centuries. Though Perth from its earliest days was engaged in civil wars and sieges, Scone seems to have escaped all these; and very probably secured its immunity from the troubles of the time because of its influence with people as an ecclesiastical stronghold,



and because of the superstitions that prevailed in these times that the Abbey and Monastery were sacred edifices and could not be subdued by military force.

## BARONY OF GOWRIE.

### FAMILY OF RUTHVEN.

IN the twelfth century, Allan, the son of Walter, married Cecilia, daughter of Gilbert, Earl of Strathearn, with whom he got the lands of Cowgask. His son was Walter de Ruthven. This name he assumed from the lands of his old inheritance called Ruthven. About 1300 there is a charter by William de Ruthven, by which, with consent of his son, Walter de Ruthven, he confirmed a grant of Tibbermore and the fishings of the Cairnies made formerly by Walter, son of Allan, to the monks of Scone.

In the reign of James III., Sir William Ruthven, son of another Sir William, presumably descended from Walter, was created Lord Ruthven. His first wife was Isobel, daughter of Lord Livingstone, by whom he had a son and heir, who was killed at Flodden before his father died. Lord Ruthven had a second wife, Christian, daughter of Sir John Forbes of Pitsligo, and by her he had a son, afterwards Sir William Ruthven of Bandirran, and two daughters, one of whom married the Earl of Buchan, and the other the Earl of Errol. Lord Ruthven, by his first wife, had a second son, called William, second Lord Ruthven, who married Janet, daughter of Patrick Halyburton, Lord Dirleton, and succeeded his father as Lord Ruthven. He was Lord Privy Seal, and

died in 1556, leaving issue, Patrick, his successor, and Alexander, a second son, who was the first of the Ruthvens of Freeland, afterwards created Lord Ruthven by Charles II. William, the second Lord Ruthven, had several daughters, one of whom married David, Lord Drummond, Earl of Perth, and his eldest son was Patrick, third Lord Ruthven, one of the murderers of Riccio, who died in banishment, at Alnwick, for that crime (1566). He was married to Jean, daughter of the Earl of Angus, and left two sons and two daughters. His eldest son was William, first Earl of Gowrie. He married Dorothea Stuart, a daughter of Lord Methven, by his second wife, Janet, daughter of the Earl of Atholl. Lord Methven's first wife was Queen Margaret, widow of James IV., who died in 1541. Dorothea Stuart was the mother of Gowrie and Alexander Ruthven of the Conspiracy.<sup>1</sup> According to this authority, Queen Margaret had no child to the King but James V. Thereafter she married the Earl of Angus, to whom she bore one child, who afterwards was Lady Margaret Lennox, mother of Darnley. Afterwards Queen Margaret divorced Angus and married Lord Methven. Gowrie's mother, Dorothea Stuart, could not have been the Queen's daughter, as some allege, for her Majesty died in 1541, aged 53, whereas Dorothea Stuart, first and only Countess of Gowrie, had borne children at intervals after 1580.<sup>2</sup>

William, fourth Lord Ruthven, was created Earl of Gowrie, by patent, dated 23rd August, 1581.

<sup>1</sup> Earl of Cromartie.

<sup>2</sup> Patrick, third Lord Ruthven, who was connected with the murder of Riccio, had a daughter, Isobel, who was married to Sir James Colville, of Easter Wemyss. Patrick, sixth Lord Gray, father of the notable Master of Gray, married Barbara

He was executed at Stirling on 20th May, 1584. By Dorothea, daughter of Henry, Lord Methven, he had five sons and seven daughters. The lands and barony of Gowrie, etc., which belonged to the Monastery of Scone, were acquired by the Ruthvens by Royal Charter, dated 20th October, 1581.

James, second Earl of Gowrie, his eldest son, was restored to the estates and honours in 1586, but died in his fourteenth year in 1588, and was succeeded by his brother.

John, third Earl of Gowrie, was killed in 1600 in what was known as the Gowrie Conspiracy, and his estates were forfeited to the Crown.

Ruthven Castle was long a residence of the Ruthven family. There is a traditional story told of one of the daughters of William Lord Ruthven, first Earl of Gowrie, afterwards the wife of James Wemyss of Pittencreeff. When he visited the Castle it was by stealth, as the family thought he was of inferior rank. The place in which he was concealed was the tower opposite to that in which the young lady had her rooms. One night the young lady, before the doors of the castle were shut, had joined him in his apartment. The Countess having got a hint from one of her maids of what was going on, hastened to the tower to surprise the lovers. The young lady, hearing her mother's footsteps, ran to the top of the leads and leaped to the opposite tower, the chasm being 9 feet 4 inches wide and 60 feet deep. She alighted safely on the battlement, and crept

Ruthven, sister to Patrick, third Lord Ruthven, and aunt to William, fourth Earl of Gowrie. Agnes Gray, sister to the sixth Lord Gray, married Sir Robert Logan, of Restalrig, father of Robert Logan, who was identified with the Gowrie conspiracy.

stealthily away to bed. In a few minutes her mother entered her bedroom to make an apology. Next night the young lady eloped with her lover, and they were afterwards married.

## BARONY OF SCONE.

### THE FAMILY OF MURRAY, VISCOUNTS OF STORMONT, EARLS OF MANSFIELD.

THE family of Murray of Arngask and Balvaird, from whom descended Sir David Murray, afterwards Lord Scone and first Viscount Stormont, is fully detailed in the Douglas Peerage. The family traces its origin from the Murrays of the ancient family of Tullibardine, one of the most ancient of our Scottish nobility. The Tullibardine family occupies a very prominent place in Scottish history, and some of its members contributed in no small degree to the restoration of peace in troublous times, to the enforcement of loyalty to the throne, and to enlightened and effective administration. Sir William Murray of Queen Mary's time, whose house of Tullibardine was a favourite haunt of the Queen's, held a high place in the estimation of his sovereign, while his descendant, the Earl of Tullibardine, who was Secretary for Scotland in 1656, and directed the negotiations for the transference of the University of St. Andrews to Perth, was undoubtedly the ablest statesman of his time. The Barony of Tullibardine was created in 1604, when Sir William Murray was raised to the Peerage, and in 1606 it became an Earldom.<sup>1</sup>

<sup>1</sup> Sir James Stuart, the black knight of Lorn, married Jean, daughter of the Earl of Somerset, and dowager of

Sir Andrew Murray, brother of Sir William Murray of Tullibardine (sons of William Murray), married Margaret, daughter and sole heir of James Barclay of Arngask and Kippo, with whom he got the lands of Arngask, Balvaird, Kippo, etc. She and her husband obtained a charter thereof from King James IV., 25th January, 1507. On 1st August, 1527, she founded a chaplaincy in the parish church of Arngask. They had two sons. Sir David, who succeeded; John, who got from his father Conland; and Elizabeth, who married Sir Archibald Douglas of Kilspindie.

Sir David Murray of Arngask and Balvaird, married Janet, sister of John, fifth Lord Lindsay of the Byres, and died in December, 1550. He had three sons: (1) Sir Andrew, (2) William Murray of Letterbannathy, and (3) David, parish clerk of Abernethy in 1548, who received a charter of Airdeth in 1563.

Sir Andrew Murray of Arngask and Balvaird and Margaret Ross, his wife, received a charter of part of Arngask in 1541. He succeeded his father in 1550, and died in 1576. His first wife was Margaret, daughter of Ninian, second Lord Ross of Hawkhead, who died without issue; his second was Lady Janet Graham, fourth daughter of William, second Earl of Montrose, by whom he had four sons: (1) Sir Andrew, (2) Sir David Murray of Gospetrie, (3) Robert, Archdeacon of Dunkeld, who died without

James I. of Scotland, by whom he had three sons—John, who became Earl of Atholl; James, Earl of Buchan; and Andrew, Bishop of Moray. John was by James II., his uterine brother, created Earl of Atholl. From him John, Earl of Atholl, who died in 1594, was the fifth earl in the direct line. He left issue by Mary Ruthven, his wife, daughter of William, first Earl of Gowrie, three daughters—Dorothea, married to William, first Earl of Tullibardine, and had issue; Mary, married to James Stuart, Lord Innermeath, who thereafter procured the title of Earl of Atholl. She died without issue, and the title devolved on Dorothea, Countess of Tullibardine, of whom the Dukes of Atholl carry the arms of Stuart quartered with those of Murray.



issue, and (4) Sir Patrick Murray of Bin and Drum-cairn, an officer in the Guards, much employed by King James in settling the affairs of the Church. He married Isobel Brown, and died in 1604 without issue, and his brother, Lord Scone, was served his heir male and of entail on 5th March, 1606.

Sir Andrew Murray of Arngask, etc., married and left a son, Sir Andrew, and two daughters. This son also married, but died without issue in 1624, when

Sir David Murray of Gospetrie succeeded. . . . He accompanied the King to England in 1603, and had a great many charters from the King,<sup>1</sup> including grants of the barony of Ruthven, and the abbacy of Scone, upon which, in 1605, he was created Lord Scone. He had a principal hand in carrying the Five Articles of Perth, and as a reward had conferred upon him the dignity of Viscount of Stormont (patent dated 16th August, 1621). He entailed his estates. He married Elizabeth, daughter of David Betoun of Creich in Fife, but by her, who died 21st January, 1658, he had no issue. He died on 27th August, 1631, and was buried at Scone, where there is a magnificent monument to his memory. The inscription on the monument of Lord Scone, who is interred in the family vault at Scone, will be read with much interest. It is as follows: "The Right Honourable Sir David Murray of Gospetrie Kngt, soune to Sir Andrew Murray of Balvaird, his grandsir brother to ye Earl of Tullibairdine, his mother daughter to ye Earle of Montrois, his guidame of ye father daughter to ye Earle Merschall quho for his good service done to King James ye VI., quhom he faithfully served in his youthe in many honourable employments, (from a cupbearer, master of his horses, master of his house, comptroller of his rents, Captain of his Mass Garrd, one of His Majesty's honourable Privy Council) was created Lord Scone. He married dame Elisabeth Betone ane ancient barons daughter of Chreiche, died without ishue and left his estate to his nevvye of Balvaird, and to dame Annis Murray his nes quhom

<sup>1</sup> Register of the Great Seal.

he married to ane brother of ye Earl of Tullibairdine from whom he first descended. He helped his other friends who enjoys ye fruits of his labours, his buildings. He was politiq; good men knew he loved the vertu, and malefactors yet he maintained justice. He foonded ys hospitall and builded ys chriche. His soole enjoys happiness, and onder ye tombe builded by himself lys his bodie expecting ye joyful ressurection." He was succeeded by

Sir Mungo Murray of Drumcainr, second Viscount Stormont. He was fourth son of John, first Earl of Tullibardine. He married first, Anne, eldest daughter of Sir Andrew Murray of Arngask, who died without issue, 13th May, 1639, and was buried at Scone on 23rd May; and, secondly, Lady Anne Wemyss, second daughter of John, first Earl of Wemyss, and widow of Alexander Lindsay of Edzell, who died also without issue. She was buried in St. John's Church, Perth. He died in March, 1642, and was succeeded by the next heir of entail.

James Murray, second Earl of Annandale, third Viscount of Stormont. He also died without issue, on 28th December, 1658, at London, and was buried at Ruthwell, Dumfriesshire, whereupon the succession devolved upon

David, fourth Viscount Stormont. He was descended from William Murray of Letterbannathy, whose grandson, Andrew Murray, minister of Abdie in 1618, was created Lord Balvaird on 17th November, 1641. This David was his son, and succeeded him as second Lord Balvaird in 1644. He consolidated all the lands in Perthshire, Annandale, and elsewhere, into the Viscounty of Stormont in 1666. He died 24th July, 1668, having married at Kinnaird on 9th August, 1659, Lady Elizabeth Carnegie, eldest daughter of James, second Earl of Southesk, the widow of his predecessor, James, third Viscount Stormont. By her he had his successor and two daughters: (1) Catherine, who married William, second Earl of Kintore, and (2) Amelia, who died unmarried.

David, fifth Viscount of Stormont, succeeded his father in, 1668, and held the title for over sixty-three years, dying on 19th November, 1731. He married



*To face 172*

THE FIRST EARL OF MANSFIELD,  
*Lord Chief Justice of England*



in 1688, Marjory, daughter of David Scott of Scots-tarvet in Fife (also descended of the Murrays, Earls of Annandale). She died in April, 1746, having had fourteen children. One of the younger sons, born at Scone, became the first Lord Mansfield and the Lord Chief Justice of England.

David, sixth Viscount of Stormont, the eldest son, succeeded his father in 1731, and died at Jeanfield, near Dalkeith, on 23rd July, 1748, aged fifty-eight. He married Anne, only daughter and heiress of John Stewart of Innernytie, by whom he had four children. She died at Comlongan, 10th July, 1735.

David, seventh Viscount of Stormont, his eldest son, succeeded. He was a distinguished scholar. He was elected a Representative Peer of Scotland in 1754, and again in 1761, 1768, 1774, 1780, 1784, and 1790. He was Lord Justice General for Scotland; British Ambassador at Paris and Vienna; 1772-78 Secretary of State; 1779-82 President of the Council, and again 1794—till his death. He succeeded his Uncle William (fourth son of the fifth Viscount, who by his eminent abilities at the Bar and on the Bench raised himself to high position and obtained the dignity of Earl of Mansfield), as second Earl of Mansfield in Middlesex in 1793. He married, first, at Warsaw, on 16th August, 1759, Henrietta Frederica, daughter of Henry, Count Bunau, who died on 16th March, 1766 (her heart was buried at Scone), leaving two daughters; and secondly, the Hon. Louisa Cathcart, third daughter of Charles, ninth Lord Cathcart, and Countess of Mansfield in the County of Nottingham in her own right, by whom he had five children. He died 1st September, 1796, at Brighthelmstone, and was buried in Westminster Abbey, but his heart was sent to Scone.

William, third Earl of Mansfield, and eighth Viscount of Stormont, the eldest son of the second marriage, succeeded his father in 1796. He married at Bishopsthorpe on 16th September, 1797, Frederica, daughter of William Markham, Archbishop of York, and had issue three sons and six daughters. He was succeeded by his eldest son, William David, as fourth Earl, who held the title and estates up to 1898, when he was succeeded by his grandson, the present Earl.



The latter is the eldest son of the late William David, tenth Viscount Stormont, who died in 1893, and whose death was a great calamity to the County of Perth, of which he was a Deputy Lieutenant, and its most able and much-loved Convener. (See illustration.)

## BARONY OF KINNOULL.

FAMILIES OF ERSKINE, CRICHTON,  
OLIPHANT, HAY.

THE earliest entry on record states that Sir Robert Erskine of Erskine succeeded his father. He joined the High Steward of Scotland and other friends of David II. in opposition to the Baliol faction. He was Great Chamberlain of Scotland in 1350, and one of the commissioners to treat of a release of David II., 1348-54. In 1358 he was appointed Ambassador to Charles the Dauphin, Regent of France, and ratified the alliance with that Kingdom at Paris, 1359. He was twice elected Great Ambassador. He obtained charters from David II. of the lands of Kinnoull on their resignation by Isobel Fyfe, heir to Duncan, sometime Earl of Fife. This Sir Robert Erskine held a life appointment of keeper of Stirling Castle and Sheriff of Stirlingshire, conferred upon him by David II. He was one of those who assisted at the coronation of Robert II., and did homage to him at Scone, 1371; he died in 1385, and is said to have been one of the most distinguished of the ancient family of Erskine. His second son, Sir Nicholl Erskine, obtained a charter of the Barony of Kinnoull on the resignation of his



*To face 174*

WILLIAM DAVID, TENTH VISCOUNT STORMONT,  
*Deputy-Lieutenant and Convener of Perthshire*



father, 1366. We have no explanation why this transference occurred so long before Sir Robert's death. Sir Nicholl was ancestor of the Erskines of Kinnoull. The Erskines ceased to be owners of Kinnoull in the reign of James II., when the estate passed into the hands of the Crichtons of Sanquhar. Sir Robert Crichton married Christian, only daughter and heiress of Sir William Erskine of Kinnoull. He died in 1469. His eldest son by this marriage, Robert Crichton of Kinnoull, was in 1488 created Lord Crichton of Sanquhar, by James III., and died in 1502. He married Cecilia, second daughter of James II., by whom he had an only daughter, Margaret, married to George, Earl of Rothes. Their son was Norman Leslie, master of Rothes, who slew Cardinal Beton. Robert, second Lord Crichton, son of the first lord, obtained charters of lands in the parish of Forgandenny and in various other parishes in 1511. The following entries respecting the family appear in the Register of the Great Seal:—

EDINR., 31st Octr., 1478.

The King, James III., because in the action prosecuted and gained by Robert Crichton of Kinnoull, in the presence of the Lords of Council against Walter Ogilvy of Owres, for the sum of 300 merks, it was decreed that the sum be paid to Robert Crichton and as to the execution of the decree the King directed letters to the Sheriff of Forfar to compel Ogilvy to pay the same.

EDINR., 7th May, 1502.

The King, James IV., confirmed the charter of Walter Forster of Torwood, soldier, feudal lord of the following lands—by which with consent of his father Duncan Forster he conceded to Robert Mercer of Ballief, the assignee of Robert lord

Crichton of Sanquhar and Kinnoull, the lands of Kirkton-Malaris and Hilton-Malaris in the county of Perth, which Lord Crichton alienated to Duncan Forster for a certain sum, which sum Robert Mercer paid to the said Walter Forster.

EDINR., 29th April, 1509.

The King James IV. confirmed the charter of Robert lord Crichton of Sanquhar and baron of Kinnoull (by which for a sum paid he sold to Finlay Anderson burgess of Perth and Isobel Davidson his wife, his fishings in the River Tay below the barony of Kinnoull, descending from the lands of Kincarothe which belong to the abbot and convent of Scone to the lands of Craigtoun belonging to the same, to be held by Finlay Anderson and Isobel or whichever survives the other and their legitimate heirs in fee from the King with the right commonly known as

*le schute haill,  
draw pig and pail*

in the part within those bounds. *Witnesses:* JOHN CRICHTON of Hartwood; M. W. CREICHTON, rector of Kirkmichael; WM. WALLACE, &c., &c.

EDINR., 17th July, 1511.

The King James IV. confirmed the charter of Robert Lord Crichton of Sanquhar and baron of Kinnoull by which for a sum paid he sold to James Davidson, chaplain, one half of the arable land of Kinnoull, and the annual return of 6 solidi 8 denaris from the lands of Loanhead; also one half dues of Woodend of Kinnoull called Forsterland and the Pressmok, and half of one piece of land between the wood and orchard of Kinnoull, one half of the orchard and one half of the wood.

to be held of the King in feu.

The son of Robert, Lord Crichton, became the third lord, and in 1548 obtained charters of the lands of Kinnoull. He died in 1552. His two sons were the fourth and fifth lords.

Robert, sixth Lord Crichton, was son of the



fifth lord. He obtained from the King a charter of Gowrie House, Perth, on 10th January, 1612. He was executed on 29th January, 1612; he left no issue. William, seventh Lord Crichton, who was in 1619 served heir, was nephew to the sixth lord. In his day he was a very prominent and distinguished man; he was created Viscount of Ayr in 1622, and shortly after, Earl of Dumfries. In 1632 he sold the lands of Kinnoull to George Hay, Viscount Dupplin, afterwards first Earl of Kinnoull. In 1633 he obtained a charter of the Earldom of Menteith. He was married to Euphame, daughter of John Seton of Touch, and died in 1691.

Another branch of the Erskine family was Sir Thomas Erskine, eldest son of Sir Robert Erskine, and one of the hostages for the ransom of David II. in 1357. He was married to Janet Keith, daughter of Keith the Earl Marischal, and by her was the ancestor of the Erskines of Dun. His eldest son, Sir Robert Erskine, was one of the commissioners in 1421 appointed to treat for the release of James I., and one of the hostages for his ransom. In 1435 he succeeded as Earl of Mar, and died in 1453. He had two daughters: Janet, married to Walter Stewart, second son of Murdoch, Duke of Albany (executed in 1425); Elizabeth, married to Sir Henry Douglas of Lochleven. Thomas, first Lord Erskine, and second Earl of Mar, succeeded his father 1453. He was dispossessed of the Earldom.

The Hays are a branch of the Anglo-Norman Hays, whose ancestors came into this country with William the Conqueror. The first of the name who appears on the record is William de Hay, who settled in Lothian in the middle of the twelfth

century. He held office under Malcolm IV. and William the Lion. His son Robert was the progenitor of the Hays of Yester and Tweeddale. Robert's elder brother William was an attendant on William the Lion, and witnessed many of his charters. He had the honour of being one of the hostages for King William when he was liberated in 1174, and for his distinguished services the King bestowed on him the estate of Errol in the Carse of Gowrie. He had six sons, of whom David, the eldest, succeeded him. In the thirteenth century the Hays were numerous in the Carse of Gowrie and in Perthshire. In the fourteenth century they were still more numerous, and spread into Aberdeenshire and other parts of the North. It was William, the first of the name, and his son who were progenitors of the Hays of Errol, who obtained the Earldom in 1462 from James II. From this stock sprang the Hays, Earls of Kinnoull.

#### THE FAMILY OF HAY OF KINNOULL.

An interesting chapter in connection with the history of Perth is that of the family of Hay of Kinnoull. George Hay, second son of Patrick Hay of Megginch, was born in 1572. James VI. bestowed on him the lands of the Carthusian Monastery at Perth, with a seat in Parliament, 1598. He attended the King at the Gowrie Conspiracy, and was in 1616 appointed Lord Clerk Register, and knighted. In 1620 he obtained a charter of the lands of Kinfauns. In 1622 he was appointed Lord Chancellor of Scotland. In 1626 he obtained a charter of the lands of Aberdalgie and Dupplin, and in 1627 was created a peer as Viscount Dupplin and Lord Hay of



*To face 178*

GEORGE, FIRST EARL OF KINNOULL,  
*Lord Chancellor of Scotland*



Kinfauns. In 1633 he was created Earl of Kinnoull. He died in 1634, and was interred in Kinnoull Church, where a statue was erected, showing the Earl in his Lord Chancellor's robes.<sup>1</sup> His only surviving son succeeded him as second Earl in 1634; and his son, William, in 1644 succeeded as third Earl. He was by the English made prisoner in Edinburgh Castle, whence he made his escape on 20th May, 1654, over the wall, by tying sheets and blankets together; he joined Montrose in the North, and was captured by the English in the Braes of Angus in the following November, after three days' hot pursuit through the snow. He married first, Mary, only daughter of Robert Brudenell, second Earl of Cardigan, by whom he had no issue; and secondly, Catherine, daughter of Charles, Viscount Cranbourne, and grand-daughter of William Cecil, Earl of Salisbury, by whom he had two sons who successively held the title.

In Zimmerman's "Autobiography of Travers" an interesting reference is made to William, third Earl:—"Leaving Westminster and the house of the artist in 1662, I took lodgings in Covent Garden, and had as a fellow-boarder a Scotch Catholic, the Earl of Kinnoull. He came every day to my little

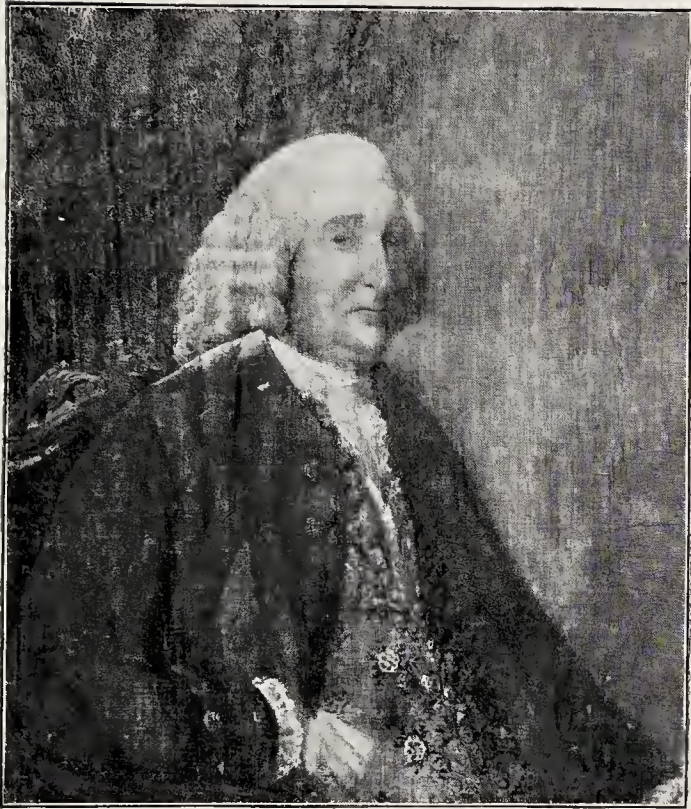
<sup>1</sup> The funeral procession was an imposing spectacle. There were trumpeters and pursuivants; relations to carry the arms; his coronet, spurs, gauntlet, mace, and great seal; the arms of his ancestors on both sides. His physician and chaplain in mourning; a horse in dule and two pages of honour. Finally the coffin, surmounted by a pall of black velvet, carried by twelve gentlemen, followed by deceased's son, in a long mourning robe and hood, assisted by six earls and three lords, going three abreast. In this order they went through the town, crossed the river in boats, marched to Kinnoull Church, where, after the funeral service, the body was laid in the tomb.



chapel to hear Mass, and sometimes joined me in reciting the divine office, and frequently went to confession and communion. Through the Earl I became acquainted with many Scotchmen; also some years later, the brother of the Earl, who had come to live in London."

Evidently Lord Kinnoull died in 1667, as his eldest son, George, in that year succeeded him as fourth Earl. The latter left no issue. His brother William, in 1687, succeeded him as fifth Earl, who resigned his titles into the hands of Queen Anne, and died in 1709 unmarried.

This terminated the direct line of the Hays, and another branch now comes into possession. Francis Hay, Writer to the Signet, acquired the lands of Balhousie, and obtained a charter of the Barony of Dupplin in 1642. He married Margaret, daughter of James Oliphant, of Bachilton. His eldest son died in 1672, and was succeeded by his second son, Thomas Hay. The latter was a man of very considerable abilities, and in 1693 was Member of Parliament for Perthshire. He was afterwards created Viscount Dupplin, and took his seat as such in 1698. In 1709, on the death of the fifth Earl, he was created sixth Earl of Kinnoull. In the Jacobite Rebellion of 1715 he was suspected of being a rebel, and was imprisoned in Edinburgh Castle. He died in 1719, and was succeeded by his son, George, who became the seventh Earl, and married Marjory, third daughter of David, fifth Viscount Stormont, and sister of the first Earl of Mansfield. Earl George was in 1729 appointed ambassador to Constantinople, which appointment he held for eight years. He died in 1758, leaving



*To face 180*

THOMAS, EIGHTH EARL OF KINNOULL,  
*British Ambassador to Portugal, and Chairman of the Committee of  
Privileges in Parliament*



ten children. His eldest son, Sir Thomas Hay (see illustration), who became the eighth Earl, was born in 1710. He was also an eminent member of the family, having been M.P. for Scarborough in 1736, and for Cambridge in 1741; Chairman of the Committee of Privileges in Parliament; a Lord of the Treasury in 1754; Chancellor of the Duchy of Lancaster, 1758; and British Ambassador to Portugal, 1759. In 1762 Earl Thomas resigned all his appointments under the Crown. It is recorded that the bridge over the Tay at Perth owes to him its existence, being built under his auspices, and at the risk of his private fortune. Though splendid offers were made to him to return to office under the Crown, nothing would induce him to do so. He had resolved to spend the remainder of his life in peace and quietness in the management and enjoyment of his estates. Under his judicious management, his estates, it is said, speedily assumed a new aspect; improvements rapidly advanced, and his tenantry prospered. He is said to have been a man of warm but rational piety, and a high-principled, Christian gentleman. He died at Dupplin Castle on December 27, 1787, his death being lamented over the entire kingdom. His only son having unfortunately predeceased him, he was succeeded by his nephew, the Honourable Robert Hay Drummond, eldest son of his brother. Robert assumed the name of Drummond as heir of entail of his great-grandfather, William, Viscount of Strathallan, by whom the estates of Cromlix and Innerpeffray were settled as a provision for the second branch of the Kinnoull family. Colonel John Hay, Governor of Perth at the Rebellion of

1715, was the third son of Francis Hay, and consequently brother of Thomas, the sixth Earl. Robert Hay Drummond, ninth Earl, succeeded his father in 1796. He was a Privy Councillor in 1796, and in the same year was made Lord Lyon, King of Arms. He died in 1804, and was succeeded by his son, Thomas Robert, who became tenth Earl. The latter was born in 1785, and also held the office of Lord Lyon, King of Arms. In 1810 this Earl's brother, the Honourable Francis John Hay Drummond, of Cromlix, was drowned in the river Earn. He had paid a visit to Lord Ruthven at Freeland the preceding day, and was prevented from returning to Dupplin the same evening by the severity of the weather, but set out next morning, so as to accompany his brother to church. Crossing the river on horseback, the current, swelled by a heavy rain, carried him rapidly away, and he perished, nobody being in sight. He was then twenty-five years of age. Earl Thomas was succeeded by George, the eleventh Earl, who died in 1897, and was succeeded by his son, the present Earl.

In regard to Kinnoull Hill, the favourite resort of many of the citizens of Perth, it is interesting to notice that the eastern portion belongs to the Kinfauns estate, the centre to the Earl of Kinnoull, and the western to Alexander Moncrieff of Barnhill. The Earl of Kinnoull—Earl Robert, the ninth Earl, who died in 1804—caused a large stone table to be placed on the top of the Hill. For several years his lordship and family with a few friends made an annual visit to the top of the Hill and dined on this table. Lord Gray of Kinfauns



ornamented his part of the Hill by erecting what represents a ruined tower. To the north of Woodend, in the immediate neighbourhood, stood the ancient Castle of Kinnoull. The title of the Earldom was derived from this ancient stronghold. It faced the South Inch. So late as 1773 the ruins of this old castle were to be seen.<sup>1</sup>

#### THE FAMILY OF OLIPHANT.

The Oliphants came to Scotland, as is recorded, in 1142 and four of them in succession held the high office of justiciary under the Crown. Two knights of the family were taken prisoners at Dunbar by Edward I. in 1296 and submitted to the English King. One of them was Sir William Oliphant of Aberdalgie. He obtained a Charter of the lands of Ochtertyre and Gask from Robert Bruce in 1318. His tomb is still to be seen at Aberdalgie. This Sir William Oliphant was Governor of Stirling Castle, and with a small garrison defended it heroically for three months against Edward I. Oliphant, having been compelled to surrender, he and his companions were obliged to go in procession to the tent of Edward, stript to their shirts and drawers, their heads and

<sup>1</sup> The old church of Kinnoull, which was superseded by the present one in 1826, was dedicated to Constantine III., King of Scotland, 904-944. In the reign of David II., 1329-71, Sir Robert Erskine, proprietor of Kinnoull and Lord Chancellor of Scotland, gave the church to the monks of Cambuskenneth. The Kinnoull family for a time were interred here. It was in this church that Queen Margaret, widow of James IV., was married to the Earl of Angus. John Drummond, Dean of Dunblane and minister of Kinnoull, performed the ceremony.

feet bare, and on their knees to acknowledge their guilt and give themselves up to his mercy. Oliphant was thereafter sent to the Tower of London, where he lay a prisoner for four years. His son, Sir Walter Oliphant, married Elizabeth, youngest daughter of Robert Bruce. He obtained a charter from David II. in 1364. His son, Sir John Oliphant of Aberdalgie, obtained a charter of his lands from Robert II. in 1388, and Sir John's son, Sir William, was one of the hostages for the ransom of James I. in 1442, while his grandson, Sir John Oliphant, was slain in an encounter with the Lindsays at Arbroath in 1446. Sir Laurence Oliphant, son of the last named, was created a peer of James II. in 1467 and became the first and greatest of the Lords Oliphant. He founded the Greyfriars Monastery at Perth, and died in 1500. His son, John, second Lord Oliphant, married Elizabeth, daughter of Colin, first Earl of Argyll. In 1516, Laurence, grandson of the first Lord Oliphant, succeeded his uncle as the third holder of the title. His eldest son, also named Laurence, became fourth Lord Oliphant, and joined the Ruthven Conspirators (Raid of Ruthven) in 1582. He was accidentally drowned as he was crossing the English Channel in 1634. Laurence, his son, became fifth Lord Oliphant in the same year, and as he died without issue, the title lapsed. He sold the estates which he inherited, Gask only being saved from the wreck. Aberdalgie, after being the property of the Oliphants for three centuries, passed from them in 1620 to the Earl of Morton, who five years afterwards sold it to the Hays. John Oliphant, second son of Laurence, fourth Lord Oliphant.

was created Master of Oliphant. His son, Patrick, became sixth Lord Oliphant. He obtained charters of Aberdalgie and Dupplin in 1617, and in 1626 sold these to George Hay, first Earl of Kinnoull. His eldest son, Charles, was seventh Lord and succeeded in 1707. There is a Laurence Oliphant who, in 1650, was knighted at Perth by Charles II. Patrick, son of Charles, was the eighth Lord, and died in 1721 without issue. Patrick Hay, Provost of Perth, who was knighted by James VIII. in 1715 was married to a daughter of Laurence Oliphant of Gask. This is the Provost who took the place of Provost Austen who ran away at the Rebellion. Laurence Oliphant was a lieutenant in the Perthshire regiment of horse, and fought at Sheriffmuir under Lord Mar, but escaped. "It happened," he says, "to be my turn to command the Horse Guards at Perth in December, 1715, that night when the Earl of Mar left to meet the King. At midnight all went to the Cross, where we found a great concourse of people. The subject of conversation was Lord Mar's departure and whether the King would be restored." Colonel William, ninth Lord, succeeded his kinsman, Patrick, eighth Lord. He also left no issue, and his brother was the tenth and last lord. The Oliphants have always been closely identified with the history of Perth, and are represented to-day by Captain Blair Oliphant of Gask.

## BARONY OF GRAY AND KINFAUNS.

## FAMILY OF GRAY.

THE family of Gray can trace its lineage as far back as the early years of the twelfth century. Baron Gray of Chillingham, in the north of England, is recorded to have been a follower of David I., and his son Andrew obtained in 1214 the lands of Browfield, near Roxburgh. The Grays of Browfield were represented to the fifth generation by Sir Andrew Gray of Fowlis, who married Janet, only daughter and heiress of Sir Robert Mortimer of Fowlis. Sir Andrew died about 1445. He had a family of five sons and eight daughters; one of them was married to John Ross of Kinfauns. His son and successor, Sir Andrew Gray of Fowlis, was on the 28th June, 1445, made a Lord of Parliament, and was the first Lord Gray of Fowlis. He died about 1470, and was succeeded by his grandson Andrew, second Lord Gray, son of Sir Patrick Gray of Kinneff (Sir Patrick predeceased his father). A sister of Sir Patrick was married to Sir Patrick M'Lellan, whose son Patrick was beheaded by the Earl of Douglas in 1452 (see after). It was this Lord Gray who built Broughty Castle, 1496. Elizabeth, the eldest daughter of the second Lord Gray, married in 1487 John Lyon, Lord Glamis. At his death she married Alexander, Earl of Huntly, and at his death in 1504 she married George, Earl of Rothes. This was the lady who built Gowrie House, Perth. Janet, the ninth child of the second Lord Gray, married John Charteris of Cuthilgourdy, Provost of Perth, and Jean, the

tenth child, married Alexander Blair of Balthayock. Then Lord Gray evidently regained the estate of Castle Huntly, as he is described of "Fowlis and Castle Huntly." Patrick, third Lord Gray, succeeded his father, and is recorded to have died at Castle Huntly in 1541. He left four daughters but no sons, and was succeeded by his nephew Patrick, fourth Lord Gray, son of Gilbert Gray of Buttergask, son of the second Lord Gray. This Gilbert Gray was married to Egidia Mercer, one of the Mercer family. He died in 1584, leaving issue, six sons and seven daughters.

Sir Patrick Gray of Invergowrie, the second son of the same christian name of Patrick, Lord Gray, was married to Euphemia, daughter of Sir William Murray of Tullibardine, and died about 1607. Patrick, fifth Lord Gray, succeeded his father and died in 1608. He had a family of seven sons and five daughters, and was succeeded by his son Patrick, sixth Lord Gray, who as Master of Gray was a prominent man in Scottish history, in the reigns of Queen Mary and her son James VI. He enjoyed the title only four years, and died in 1612. His first wife was Elizabeth Lyon, daughter of Lord Glamis, and his second wife Mary Stuart, daughter of Robert, Earl of Orkney. He was succeeded by his son Andrew, seventh Lord Gray, who died in 1663. The latter had one son, who evidently predeceased him, and one daughter, Anne, Mistress of Gray, who married William, eldest son of Sir William Gray of Pittendrum. She obtained a Patent of Nobility from Charles I. bestowing the titles and estates on her issue. Her son Patrick succeeded his grandfather as



eighth Lord Gray. This Lord married Barbara Murray, daughter of Lord Balvaird, and had issue—one daughter Marjory, Mistress of Gray, who married John Gray of Crichton, who by virtue of a Patent of Nobility in his favour became titular Lord Gray. So that for four years the Gray Peerage had a dual representation, two Lords living at the same time. John of Crichton, ninth Lord Gray, died in 1723, leaving issue five sons and four daughters. It was this Lord who built the House of Gray. The family left Fowlis in 1669. John, tenth Lord Gray, succeeded his father in 1726. He was married to Helen Stuart, daughter of Lord Blantyre, and enjoyed the titles and estates twelve years. John, eleventh Lord Gray, succeeded his father in 1741 and died in 1782. He was Sheriff Principal of Forfarshire and was married to Margaret Blair, heiress of Kinfauns, who died in 1740. He left five sons and seven daughters. He was also Lord Lieutenant of Perthshire, and as such waited on the Duke of Cumberland at Dundee when the Duke was on his way to Culloden. The Duke, it is said, received him haughtily, and Lord Gray immediately returned home and resolved to join Prince Charlie. His wife balked him by a ludicrous stratagem. She recommended that he should have his feet bathed after his hard ride; she herself undertook the process. His lordship having stripped and put his feet in a bath, Lady Gray, as if by accident, poured a kettle of boiling water upon them. He was so scalded that he was unable to leave his room for several weeks, and in the meantime the career of Prince Charlie had

come to a close. He was succeeded by his son Charles, twelfth Lord Gray, who died in 1786, unmarried. Charles was succeeded by his brother William, the thirteenth Lord Gray, who died in 1807, also unmarried. He was served heir to his mother's property of Kinfauns, 14th June, 1790, and that property has remained in the family ever since. Francis, fourteenth Lord Gray of Gray and Kinfauns, succeeded his brother in 1807, and enjoyed the titles and estates thirty-five years. This Lord built the present mansion house of Kinfauns (Kinfauns Castle) in 1822, and vastly improved the property by the erection of new farmsteadings, and cottages of artistic design, erected on what might be called commanding sites on various parts of the estate. He was succeeded by his son the fifteenth Lord Gray, who died without issue, and whose sister Margaret was in 1820 married to John Grant of Kilgraston; his elder sister (there being no brothers) Madeline, Baroness Gray of Gray and Kinfauns, succeeded him in 1867, and died in 1869, unmarried. She was succeeded by her niece Margaret, Baroness Gray, only child of John Grant of Kilgraston. This lady married in 1840 the Honourable Henry Murray (who died 1862), son of the Earl of Mansfield. Of this marriage there was no issue. The Baroness died in 1878, and was succeeded in the titles by her cousin, George Philip Stuart, Earl of Moray, grandson by his father Francis of Jean, daughter of John, eleventh Lord Gray: and in the estates of Gray and Kinfauns by Edmund Archibald Stuart Gray, afterwards Earl of Moray. George Philip Stuart, eighteenth Lord Gray, who succeeded in 1878, died

in 1895 unmarried. He was succeeded in the titles by his niece, Lady Evelyn Smith Gray, adjudged Baroness Gray by the Committee of Privileges of the House of Lords. Edmund Archibald Stuart Gray was a great grandson in the female line of the eleventh Lord Gray. He became Earl of Moray in 1895 on the death of his kinsman George Philip Stuart, and his brother, Francis James Stuart Gray, succeeded to the estates of Gray and Kinfauns. This Earl of Moray died in 1901 without issue, and was succeeded by his brother Francis James Stuart Gray in the Moray estates, and another brother, Martin Gray Stuart Gray, the present proprietor, succeeded to the estates of Gray and Kinfauns.<sup>1</sup>

#### THE FAMILY OF CHARTERIS OF KINFAUNS.

Sir Thomas Charteris, or Thomas de Longueville, was a native of France. He was for many years a pirate under the name of the "Red Rover," because of the red flags displayed from his ships. Wallace on his way to France encountered him on the high seas, and after a gallant struggle took him prisoner. The French King at Wallace's desire pardoned him and made him a knight. He returned with Wallace to Scotland, to whom he was ever after a faithful friend and materially aided him in his exploits. When Wallace was carried a prisoner into England, Sir Thomas returned to Lochmaben,

<sup>1</sup> James Stuart, second Lord Doune, was married to Elizabeth, the Regent Moray's daughter and heiress, and became, in right of his wife, Earl of Moray. His mother was Margaret, daughter of Archibald, fourth Earl of Argyll. He left two sons and three daughters, and is said to have been killed by the Earl of Huntly in 1592.

where he afterwards joined Bruce, and was the first who followed Bruce into the water at the memorable siege of Perth in 1312. In return for his bravery Bruce gave him the lands of Kinfauns. In Kinfauns Castle is a two-handled sword supposed to have belonged to this Sir Thomas Charteris, the ancestor of the family of Charteris of Kinfauns, who were Lord Provosts of Perth for several generations. When the vault in the old church of Kinfauns was opened many years ago, there was found a helmet made of thick leather pointed over with broad stripes of blue and white, said to have been part of the armour in which the body of Thomas de Longueville had been deposited. After the family of Charteris the Kinfauns Estate passed into the hands of the Blairs, whose heiress was married to John, Lord Gray. A branch of this family had the lands of Balthayock. The following entries are recorded concerning this family:—

Thomas Charteris and Robert Ross, as frank tenementars of Kinfauns, are mentioned as having had a dispute about some teinds with Adam, Abbot of Scone.<sup>1</sup>

William Charteris of Cangnor, great grandson of the foresaid Thomas, refers to the sequel of the above dispute and confirms the teinds of the Abbey of Scone on 1st December, 1455.<sup>2</sup> Confirmations of charters by this William Charteris, called also of Kinfauns, are given in the Register of the Great Seal.

Thomas Charteris of Kinfauns, son and heir apparent of the foresaid William, received a charter from his father on 13th July, 1470, of the lands of

<sup>1</sup> Liber Ecclesia de Scon, p. 169. There was an Abbot named Adam in 1335, and another in 1418.

<sup>2</sup> *Ibid.*, p. 185.

Haltoun and others in the lordship of Lumphanan, Aberdeenshire, and of the lands of Kinfauns and Pitsindy in the lordship of Kinfauns, Perthshire.

John Charteris of Kinfauns occurs frequently as a witness to charters between 1524 and 1531; and also as son and heir apparent of Thomas Charters of Kinfauns, at Aberdeen on 17th September, 1506. To him and his wife, Euphame Lindsay, the king on 17th March, 1524-5, granted the lands of Goltoun and others.

Thomas Charteris of Kinfauns, probably son of the foregoing John, is frequently mentioned as granting charters of lands in the barony of Kinfauns between 1540 and 1546; and there are several apprisings led against him.

John Charteris of Kinfauns (probably son of the foregoing) and Janet Chisholm, his wife, had a charter of the lands of Corscaplie and others from William, Bishop of Dunblane, on 23rd May, 1567. They adopted as their son Harry Lindsay, brother german of David, Earl of Crawford, who assumed the surname of Charteris, and thus acquired the lands and Barony of Kinfauns. He was afterwards Earl Crawford, having succeeded his brother, David. He is said to have married "Beatrix Charteris, Heiress of Kinfauns." But he is distinctly styled "*filius adoptivus*," by John Charteris and Janet Chisholm, in a charter by them, dated 19th November, 1587, in which, as their adopted son, he concurs with them.<sup>1</sup>

#### KINFAUNS CASTLE.

There is a curious relic in Kinfauns Castle. It is an iron flag or vane, 2 feet long and 1 foot broad, turning on an iron staff 8 feet high, and of date 1688. It used to surmount the castle, and was the symbol of the power of admiralty which the Lords of Kinfauns had over the Tay. With this power they were invested to conserve the fishings in the river, and to punish poachers. The tradition is that all

<sup>1</sup> Register of the Great Seal.





*To face 192*

THE OLD HOUSE OF KINFAUNS



vessels sailing up and down the river acknowledged the power of the Kinfauns lairds by saluting the castle or by lowering their colours as they passed it.

Between 1465 and 1500 Andrew Charteris was Provost of Perth fourteen times. Whether he was a Kinfauns Charteris is not clear. Between 1480 and 1500 Gilbert Charteris was eight times elected bailie of Perth. Between 1486 and 1493 Patrick Charteris was five times elected bailie; from 1521 to 1527 Patrick Charteris was five times provost. John Charteris was a bailie in 1501 and 1502, provost in 1507, 1509, 1528, 1543.

See ! see them returning companions in danger ;  
The walls of Kinfauns echo welcome again !  
Alas ! he returns to be sold to the stranger,  
A dungeon his kingdom, his empire a chain !  
This sword, of his friendship the pledge, be the token  
That Scotsmen are firm, and their country is free—  
Till the spirit of Gray and of Charteris be broken  
Memorial of Wallace, we gather round thee !  
—*Old Ballad, Kinfauns Library.*

## BARONY OF BALHOUSIE.

### THE FAMILY OF EVIOT OF BALHOUSIE.

THIS is one of the most ancient families in connection with the history of Perth. Their origin cannot be accurately traced. Before 1214 Richard Eviot witnessed a charter from Walter Ruthven, of Ruthven, to the monks of Scone. In the reign of David II. there was a Richard Eviot, proprietor of Cassendally, in Fife. In 1422 a charter was granted by Murdoch, Duke of Albany, to John Eviot, son and heir of William Eviot, of the lands of Balhousie resigned to the said William. Richard, eldest son of John Eviot, was proprietor of Balhousie from 1448 to 1480. It is recorded :—

EDINR., 10th Decr., 1479.

King James III. confirmed the charter of Robert Mercer of Balhousie, by which for a certain sum paid, he had sold and alienated to Richard Eviot, his heirs, &c., the lands of Balhousie in the county of Perth, held by him from the King in trust.

*Witnesses :—*

WILLIAM RUTHVEN of Ruthven,  
ANDREW CHARTERIS of Cuthilgurdy,  
ROB. DONNING, Sheriff of Perth,  
JOHN RATTRAY of Moredun.

John Eviot succeeded to the estate in 1484, and got a confirmation of his father's charter in the following terms :

EDINR., 1st Feb., 1490.

King James IV. confirmed the charter of Richard Eviot of Balhousie, by which—from filial affection—he conceded to his son John Eviot and his heirs, the lands of the barony of Balhousie and the mills of the same, held by the said Richard Eviot from the King.

*Witnesses :—*

WILLIAM RUTHVEN of Ruthven—soldier,  
SILVESTER RATTRAY of Rattray,  
JOHN RATTRAY—son and heir,  
ANDREW CHARTERIS of Cuthilgurdy,  
JOHN ROSS of Auchtergaven,  
ROB. MERCER of Balleif,  
JOHN RATTRAY of Hyth hill,  
PETER DE BALLUSY,  
D. JOHN DE KRYNMONT—Chaplain and  
notary public.

STIRLING, 24th April, 1510.

King James IV. conceded to William Lord Ruthven for life and to his son William Ruthven soldier and his heirs, the superiority of the lands of the Feu in the barony of Balhousie which John Eviot of Balhousie resigned—and which the King for good service joined to the barony of Ruthven.

EDINR., 26th July, 1513.

King James IV.—because he had directed letters to the provost and bailies of Perth, to distrain Robert Mercer of Balleif for 200 merks due by





*To face 194*

THE ANCIENT CASTLE OF BALHOUSIE  
*Residence of the Eviots*





him to John Eviot of Balhousie—and in defect of movable property, lands, &c., belonging to Robert Mercer within the said burgh, valued at 240 merks and sold to John Eviot—therefore conceded to Eviot and his heirs the land and tenement occupied by Robert Mercer in the Northgate valued at 140 merks—land and tenement under the cross in the said street; with annual dues of 5 merks from land of Gilbert Holmys, valued at 100 merks.

The King desired Robert Mercer and his heirs to have the reversal as soon as the debt is paid.

In 1523 John Eviot was succeeded by William Eviot, and William was succeeded by Patrick (or William) Eviot in 1539, followed by Colin Eviot, who became proprietor in 1567. Balhousie, which had been for many generations in the Eviot family, passed away from them absolutely when this Colin Eviot sold the property, somewhere about 1600 or 1609, to John Mathew. John Mathew thereafter sold it to Andrew Grant, and Grant sold it to Francis Hay, proprietor of Kinnoull. The Eviot family evidently at one time were proprietors of Muirton, for in 1448 John Eviot sold the half of Muirton to his eldest son, Richard, but seems to have retained the other half. So late as 1625, Patrick Eviot was proprietor of this property. The Eviots took great interest in local affairs, and all the generations seem to have been prominent local men. In 1464 Richard Eviot and William Ruthven made an agreement with the town in connection with the maintenance of Lowswark, and in the reign of James VI. they were largely interested in the teinds of St. John's Church, being proprietors, or Superiors, of a large portion of these. The race evidently became extinct, for all traces of them have long since passed away.

## CHAPTER VII.

The Scottish Parliament : Scottish National MSS.—Battle of Luncarty—The Dual Tragedy, Duncan and Macbeth—Malcolm Canmore, Queen Margaret and Dunfermline Abbey—Interview between William the Conqueror and Malcolm Canmore—Witch Pool at Woody Island—Perth Merchant ships in 1128—First Convention of Estates at Perth : First Ecclesiastical Council—Reign of William the Lion, who resided at Perth—His remarkable Byelaws—Translation of his famous Charter of 1210—His Funeral Cortège at Perth Bridge—Curious interview of Alexander II. and Henry III. at York—Romantic marriage of Robert Bruce's Parents—Alexander III. and the King of Norway—Sir William Wallace and his heroic Career—Battle of Elcho Park—Fawdon's Ghost meets Wallace at Gask House—First Siege of Perth.

WE have no record of any parliaments being held at Perth before the reign of Alexander I., who ascended the throne in 1107, and during his reign held three parliaments, viz., in 1107, 1115, 1121. In the reign of his brother David I., five parliaments were held, viz., 1124-28-47-50-53. In the reign of William the Lion, brother of Malcolm IV., no less than twenty-five parliaments or national councils were held. They took place between 1165 and 1211, and were held at Perth, Scone, Edinburgh, Aberdeen, Lanark, Stirling, Clackmannan, Haddington, Musselburgh, Kinghorn, Alyth, Selkirk, and Forfar. In the reign of Alexander II. there were sixteen parliaments or national councils at Perth, Scone, Edinburgh, Stirling, Forfar, and Roxburgh, between 1214 and 1248. In the reign of Alexander

III. there were eighteen between 1249-1285 at Perth, Scone, Edinburgh, Stirling, Roxburgh, and Cupar. Under Queen Margaret, Maid of Norway, one parliament, 16th March, 1286. Under John Baliol, six parliaments—Scone, Stirling, Dunfermline, Torwood, Torphichen, 1292-1301. Under Robert Bruce twenty-four parliaments, 1306-1328, at Scone, Dundee, Inverness, Cambuskenneth, Ayr, Stirling, Berwick, Aberbrothock, Glasgow, and Holyrood. Under David II. no less than thirty-nine parliaments or councils, 1329-1370, at Perth, Kinross, Scone, Dairsie, Aberdeen, Dundee, Edinburgh (mostly Perth and Scone). Under Robert II. sixteen parliaments, Scone, Perth, Stirling, Glasgow, Edinburgh, Linlithgow, 1370-1390. Under Robert III. fifteen parliaments—Scone, Perth, Edinburgh, Stirling, Linlithgow, 1390-1406. Under James I. nine parliaments, all at Perth (except one at Inverkeithing), in 1406-1424. It will be observed that these parliaments or national councils were not always held in the Ancient Capital, but doubtless the explanation is that they were held where it was at the time most convenient for the King. The majority were presumably held at Perth, but the business done in no way affects our local history beyond what we have given in the pages of this work.

There was no material change in the Constitution of Scotland during the reigns of the two Alexanders. The parliament assembled by John Baliol at Scone on 9th February, 1292, was probably the first of the national councils of Scotland which bore that name. In the famous parliament of Cambuskenneth, on 15th July, 1326, when Bruce demanded money to pay the expenses of the war and the necessities of

the State, the tenth penny of all rents was granted him. In the parliament at Perth in February, 1369, two committees were appointed, the one for appeals, pleas, and complaints; the other for special and secret affairs of the kingdom. The office of Sheriff was introduced in the reign of David I. There are no extant statutes which the collectors of early Scottish laws have assigned to any sovereign previous to the reign of David I. The laws of the Burghs are the earliest collected body of the laws of Scotland of which we have any mention. The constitutions of many burghs were made in the reign of William the Lion.<sup>1</sup> Although we have no statutes, we have charters (*vide* Meikleour), as far back as Malcolm IV.

#### BATTLE OF LUNCARTY.

This engagement is recorded as having taken place in 980, but too far back in history to afford us any detailed record. The reigning sovereign of that period was Kenneth IV., son of Malcolm I., and great grandson of Kenneth M'Alpin. During the tenth century, Scotland suffered much from the incursions of the Danes. For many years they infested the western seaboard as pirates, stealing and destroying whatever they could lay their hands on. They eventually found their way to the east of Scotland, landed a body of so-called troops at the north of the river Esk, ravaged the country with fire and sword as far as the Firth of Tay, and afterwards, as is recorded, laid siege to Perth. What happened at Perth we have no means of knowing, but Kenneth, who was at that time

<sup>1</sup> Acts of the Scottish Parliament.



living in Stirling Castle, assembled his forces and prepared to attack them. On his way from Stirling to Luncarty he encamped on Moncreiffe Hill. Kenneth led his troops in person, while the Danes, it is recorded, fought with determination. Kenneth's troops were like to be defeated when, it is said, Hay, a neighbouring farmer, with his two sons, came to the rescue, posted themselves in a narrow pass, stopped the fugitives, killed many of them, and turned the tide of battle. The Danes were overpowered and fled, and very many of both sides were left dead on the field, including the Danish king.

Kenneth is said to have been a prince of great ambition, energy, and ability, who, by his victory at Vacornar in 973, brought the kingdom of the Britons of Strathclyde to an end and joined it to his other dominions. At this battle Malcolm, Prince of Cumberland, commanded the right wing of the Scottish army, and Duncan, Marmoor of Atholl, the left. The tumuli on the spot show with sufficient distinctness the true site of this memorable conflict. Many of these have been levelled, and have disclosed human bones, with broken swords, spears, and bridles. The story of Hay and his two sons at the battle of Luncarty is, we think, a fable. In 1770 Mr. Sandeman discovered six or seven tumuli at Luncarty in the ground which he levelled for his bleachfield. In one large mound were found skeletons almost entire, not more than  $2\frac{1}{2}$  feet below the surface. In this place some rough stones were laid together in the form of a coffin, in which were found human bones, as also the bones and teeth of horses. A jaw-bone full of fresh teeth was found

and taken to Edinburgh. A short distance from this eight mounds were discovered, and a large unpolished stone supposed to mark the grave of the Danish king who fell on that occasion. In the same place a handle and blade of a sword were found. It is unfortunate that we have no authentic details of this battle, and this fact has afforded an opportunity to some writers to deny that such an engagement ever took place. It is impossible, we think, to defend that position. Whether the battle took place in 980 or, as some writers say, in 972 is uncertain. In the latter year the Danes would appear to have attacked the Castle of Perth, with what success is not recorded.<sup>1</sup>

The story of the Hays has been widely current as what a modern author calls "a touching example of the simple manners of a primitive people." Chalmers says: "The narrative of the battle of Luncarty is so artless and circumstantial as given in Bellenden's Boece that there is nothing superior to it for simplicity and minuteness in Lord Berners' Froissart."<sup>2</sup> Heraldry has embalmed the story in the achievement of the family of Errol, held to be the descendants of the stalwart ploughman. Hay got the gift, tradition says, of as much land as a falcon could fly over without perching, and the King assigned three shields or escutcheons for the arms of the family, to show that the father and two sons had been the three fortunate Shields of Scotland. The story of the Hays cannot be verified. The Earl of Errol bears for a crest

<sup>1</sup> Another writer (Maitland) says in 970 the Danes invested the town of Perth both by land and water.

<sup>2</sup> Lord Berners' translation of Froissart.

a falcon, and his supporters are two men in country habits holding the yoke of a plough over their shoulders, with this motto, *Serva jugum* in allusion to their origin.<sup>1</sup> An eminent historian,<sup>2</sup> who does not believe there ever was a battle of Luncarty, but thinks it an invention of Boece, gives these extracts as the foundation of his belief. They are not conclusive, and we must consider what evidence there is against the theory of the learned writer. The battlefield is to this day pointed out, and accumulations of human bones have been discovered there. If there were no battle where did these bones come from? And if the armorial bearings of the Earl of Errol are founded on a traditional battle, that would have been determined long ago by scientific inquiry. It therefore seems impossible to support the theory laid down by Dr. Hill Burton on arguments which do not touch on what is contained in that standard authority, the Douglas Peerage.

THE DUAL TRAGEDY—KING DUNCAN AND  
MACBETH.

In the eleventh century, 1031-1056, Duncan, grandson of Malcolm II., ascended the throne. In order to put down an insurrection he raised an army, and gave the command to Macbeth, who subdued the rebels, beheaded their leader Macdonald, and sent his head to the King, who was residing in the Castle at Perth. Macbeth shortly after murdered the King in order that he might ascend the throne. He was in due course crowned at Scone, and during his reign made some very salutary laws. His nobles eventually got very tired of him, and fears for his life

<sup>1</sup> Douglas Peerage.

<sup>2</sup> Hill Burton.

made him build a castle at Dunsinane Hill as a place of defence. All the thanes of the kingdom were required to assist with the materials for building. Macduff, Thane of Fife, declined, but fear of Macbeth compelled him to take refuge in England. The English king came to the rescue, and provided Macduff with military help, and Macbeth was eventually slain after he had reigned seventeen years. Duncan and Macbeth were grandsons of Malcolm II., by his two daughters, Beatrix, mother of Duncan, and Donada, mother of Macbeth. This story forms such an important episode in Scottish history that we may extend the details.

Macbeth invited King Duncan to visit him at Inverness, where he and his lady received the King and his retinue with much appearance of joy, and made a great feast. About the middle of the night the King desired to go to his apartment, and Macbeth conducted him to a fine room which had been prepared for him. It was the custom in these barbarous times that, wherever the King slept, two armed men slept in the same chamber for the King's protection. Lady Macbeth had made these two guards drink a great deal of wine, and had besides put some drugs into the liquor, so that when they went to the King's apartment they both fell asleep, and slept so soundly that nothing could awaken them. Macbeth entered the King's bedroom at 2 A.M. and stabbed the King while asleep, who instantly died. He then put the bloody dagger into the hands of the sleeping guards, and daubed their faces with blood so that it might appear they had done the deed. In the morning the nobles, finding that the King did not appear, went to his room, where they found the

King lying dead, and the guards fast asleep, with their dirks covered with blood. Macbeth appeared as if more enraged than the nobles at the outrage, and, drawing his sword, instantly killed the two guards. The King's two sons, Malcolm (Malcolm Canmore) and Donald Bane, were amongst the nobles, and when they saw what had occurred they immediately fled. Macbeth then took possession of the kingdom, and was crowned at Scone. Macduff, Thane of Fife, who was among the nobles at Macbeth's Castle at Dunsinane, quarrelled with Macbeth, and fled to his Castle of Kennoway, in Fife. Macbeth pursued him, but Macduff was too far ahead to be caught. He ordered his wife to shut the gates of the Castle, draw up the drawbridge, and refuse to allow the King or his soldiers to enter. The King immediately arrived, and demanded of Lady Macduff to surrender the Castle, and deliver up her husband. Lady Macduff, who was a woman of great courage, planted herself on the balcony of the Castle, and looking haughtily and contemptuously at the King, who was standing before the gates, said, in a loud and excited voice : "Do you see yon white sail upon the sea? Yonder goes Macduff to the Court of England. You will never see him again till he comes back with Prince Malcolm to pull you down from the throne and put you to death. You will never put your yoke on the Thane of Fife." Macbeth made no reply. As time went on Macbeth found that the thanes preferred Malcolm, and he therefore shut himself up in his Castle of Dunsinane, where he thought himself safe. By this time Malcolm and Macduff were come as far as Birnam, where they encamped



with their forces. Macduff advised that every soldier should cut down the bough of a tree and carry it in his hand, that the enemy might not be able to see how many were coming against them. Macbeth's sentinels, who stood on the Castle wall, informed the King that the wood of Birnam was moving towards Dunsinane. Macbeth's followers began to leave him ; but depending on his own bravery, he sallied out at the head of a few devoted adherents. He was killed after a furious resistance, fighting hand to hand with Macduff in the thick of the battle. Malcolm (known as Malcolm Canmore) then ascended the throne. He rewarded Macduff by declaring that his descendants should lead the vanguard of the Scottish army in battle, and place the crown on the King's head at the Coronation. This is an incident in Malcolm's history which has a local connection with Perth.

In 1070 Malcolm married Princess Margaret, daughter of Edward of Hungary, and heir-apparent to the English throne. Malcolm was forty-seven, and Margaret twenty-four years of age. During their early years in the Castle of Perth, they resolved to found the Church and Abbey of Dunfermline, the future place of sepulture of the Scottish kings. In 1074 Queen Margaret enriched the Abbey with jewels, and vessels of gold and silver, and gave it a magnificent cross set in diamonds. Malcolm granted it a foundation charter. Margaret had six sons. Three of these, Edgar, Alexander I., and David I. all reigned in succession. In 1184 Dunkeld Cathedral became the property of Dunfermline Abbey. In 1296 Edward I. arrived at the Abbey, and remained there some days. In

1303 Edward I. and his Queen arrived and spent the winter. At this visit he carried away the Coronation Stone at Scone, and on his departure from Dunfermline burned the magnificent Abbey. It was restored, but at the Reformation it was completely destroyed by the Reformers, and the royal tomb and monuments were thrown down. The following royal personages were interred at Dunfermline: Malcolm and Queen Margaret; their son Edward; Donald III.; Edgar; Alexander I. and his queen; David I.; Malcolm IV.; Alexander III. and his queen; their sons, David and Alexander; Robert Bruce and his queen; Christian, sister of Robert Bruce, and Matilda, daughter of Bruce; David II.; Robert, Duke of Albany; Annabella Drummond, queen of Robert II.; Robert Stewart, Regent of Scotland.

The era of Malcolm Canmore seems to have been marked by a great political revolution which has been ascribed to his own connection with England, and the multitudes of English settlers who flocked in during this and the following reign, and rapidly obtained influence and property in the kingdom. The whole law and form of procedure in Scotland assume from this period an English character. The succession to the crown, as well as the tenure of property, was stamped with a feudal impress, and the connection between the sovereign and his vassals and councillors seems gradually to have taken the same shape which we find in the early constitution of other feudal kingdoms.<sup>1</sup>

At the beginning of the Scoto-Saxon period the language of Scotland, excepting the Lothians, was

<sup>1</sup> Dalrymple.

Gaelic. Malcolm Canmore spoke the English language as well as his own. So also did Edgar, Alexander I., and David I. The English language began to be introduced under Henry III., who was contemporary with Alexander I. and II. Witnesses to the charters of King Edgar and Alexander had no surnames. These began under David I., and were not universal in Scotland till the close of the thirteenth century.

According to Florence of Worcester, not a very reliable authority, William the Conqueror, in 1072, entered Scotland with an army, penetrated as far as Abernethy (an important place at that period), and there received the homage of Malcolm Canmore. If William the Conqueror entered Scotland by the East Marshes, as is reported by some writers, Abernethy must be sought for in that direction. William, like a wise general, would keep as near to the sea coast as possible. It is remarkable that Edward I. conquered Scotland without departing four miles from the coast. Hence it follows that the natural place for an interview between the two kings was at the mouth of a river.<sup>1</sup> It is by no means certain that this meeting took place at Abernethy. It is, in fact, highly improbable. Early writers call the place Abernithice, Abernitici, Abrenitici. One writer<sup>2</sup> says Abernethy lies distant from any route which so prudent a commander as William would have taken on an expedition against Scotland. He might, indeed, have been at Abernethy had he invaded Scotland by sea and landed in the Firth of Tay, but of this there is no indication. Another writer believes that by Abernethy was meant Berwick,

<sup>1</sup> Hailes.

<sup>2</sup> Dalrymple.

while Goodall conjectures that Abernethy may be a place at the confluence of the Nith and Solway, or Edinburgh. We are inclined to believe that while a conference took place between these two famous rulers, the place of meeting in all probability was Berwick.

In the reign of David I. (1124) an extensive forest covered the district from Scone to Cargill, and there was another great forest at Methven. In almost every county these forests covered immense tracts of ground and were called royal forests, and were part of the patrimony of the Crown. The country was at that period overrun with wild animals, such as the wolf, the wild bear, the bison, and the stag. On one occasion (1261) the King directed the keeper of the forest of Selkirk to deliver thirty stags to the Archbishop of St. Andrews, and twenty to the Bishop of Glasgow. Perthshire was well covered with forests, and Wallace and Bruce frequently defended themselves by the aid of them. It is recorded that Bruce caught the disease of which he died in one of them.

From all accounts, sorcery and witchcraft were common at that period, and notwithstanding that the punishment was death, they continued to grow. A modern writer<sup>1</sup> says that for the supposed detection of sorcery trial by water was occasionally resorted to. This was occasionally granted to the great Abbeys as a prerogative of jurisdiction. Such a privilege was by Alexander I. bestowed on the Abbey of Scone; the place of trial being a small island in the Tay, half-way between the Abbey and the Bridge of Perth. In the witches' pool persons

<sup>1</sup> Rogers, *Social Life in Scotland*.

suspected of sorcery were thrown, wrapt up in a sheet, with their thumbs and great toes fastened together. When the body floated the water of baptism was held to reject the accused, who was consequently pronounced guilty. Those who sank were absolved of censure, but no attempt was made to restore them to life. The small island referred to is evidently what is called the Woody Island, which is situated half-way between Perth and Scone, in the heart of the river. The Records of the Abbey of Scone, where we might expect to find the details of the drowning of the witches and the trials by water at the Woody Island, were burned with the Abbey at the Reformation. A portion of the Bay of St. Andrews was known in these times as the witches' lake. Witchcraft was common in Scotland in the middle ages, and under orders of the authorities many of the unfortunate creatures were put to death.

That Perth was a commercial and shipping town as far back as 1128 is evident from a charter of David I. to the Abbey of Holyrood House, in which he gives the monks 100 shillings out of his small tithes there, or from the duties arising out of the first merchant ship which might arrive in the port of Perth. In 1140 he granted to the Abbey of Dunfermline one mansion in the burgh of Perth, and the Church of Perth, and a mansion which pertains to the Church; also annually 5 marks silver for their vestments out of the first ships that came to Stirling and Perth, also certain fishings at Perth.<sup>1</sup> David's grandson, Malcolm IV., succeeded him, and was crowned at Scone. In 1160 he convened a National Council at Perth—the first Convention of Estates at Perth of which there is

<sup>1</sup> Register of the Great Seal.



any record. At this Council was arranged the marriage of his sisters, Margaret and Ada. The attachment of Malcolm to the Court of England excited the jealousy of the Scots. Hearing of this he hastened home and assembled his Parliament at Perth. Ferquhard, Earl of Strathearn, and five other earls, for some unknown reason, conspired to seize him. They assaulted the Castle of Perth, where he had taken refuge, but were repulsed. The clergy interposed and reconciled parties. This incident is much more fully referred to by Robertson.<sup>1</sup>

An event took place which led to the policy, inaugurated by David I., of feudalising the seven Earldoms being resumed by Malcolm, and carried out by his successor. This was the attack made upon the King by six of the old Celtic earls, as above stated, but the record of it which we have received is very imperfect. Skene adds: "An expression in the Orkneyinga saga would lead us to infer that the object of the six earls was to put up the young son of William Fitz-Duncan, who was usually called the boy of Egremont, and as grandson of King Duncan, the eldest son of Malcolm III., had a direct claim to the throne." Robertson, who calls this event the "Conspiracy of Perth," says that a veil of deep mystery enshrouds the proceedings of the conspirators. Malcolm was holding his Court at Perth soon after his return from France, when the confederates suddenly surrounded the city, intending either to secure the person of the King, and dictate their own terms, or to place his brother William on the throne. None of the race of Malcolm Canmore ever failed in the hour of danger,

<sup>1</sup> Scotland under her Early Kings.

and the young King displayed in this crisis all the hereditary courage of his family. Promptly assuming the offensive, he at once attacked the conspirators, drove them from the field, and following up his first success, led an army into Galloway, with the determination of crushing the insurrection at its source.

Malcolm IV. was succeeded by his brother, William the Lion, who was crowned at Scone in 1165. Before his reign we find no mention of public taxes imposed by the National Council. The old prescriptive regal dues were still exacted. In 1166 King William held an assembly at Perth, at which there was an important discussion on the controversy between the choristers of Durham and Croyland. King William lived in the Castle of Perth, a building said to have been almost totally destroyed by the great flood of 1210. He also occasionally resided at Stirling Castle. During his reign he identified himself greatly with the life of the inhabitants and the general prosperity of the town. He had two daughters, who were married to two of the sons of King John of England. In 1179-80 a National Council in his name was held at Perth, when the Earl of Atholl granted the church of Moulin to the Abbey of Dunfermline. King William was a patron of the fine arts, and is believed to have been a man of cultivated taste in advance of his time. We are informed<sup>1</sup> that the west entrance of the magnificent abbey of Aberbrothock, founded by him in 1178, has an exceedingly rich and beautiful Scottish doorway of the period, presenting in its details the blending of forms derived both from

<sup>1</sup> Wilson's Prehistoric Annals.

the Romanesque and First pointed styles. The entire building furnishes an interesting example of the peculiarities of early Scottish Gothic. The pleasing effect of the structure can only be judged of when seen *in situ*.

The capture of William the Lion by the English is a prominent incident in Scottish history. The Scottish forces had been in England, and were returning home. A small contingent of the English army overtook King William and sixty horsemen at Alnwick in Northumberland, while they were engaged tilting. The tilting party was composed of the King and his attendants, who paid no attention to the approach of a band of horsemen, mistaking them for some of their own troops until they were close upon them. The King, exclaiming "Now will it be seen who is a true knight," dashed at once against the enemy in a very reckless manner. His horse was immediately shot, and before he could disentangle himself he was promptly captured by the attacking party. Several of his escort immediately surrendered. He was taken to Newcastle, thence to Richmond Castle in Yorkshire to be detained as a military prisoner. Ere a fortnight had elapsed, Henry, the English King, had him removed to Northampton with his legs tied under the body of a horse, and in this degrading position he was presented to Henry. King William was thereafter sent to Falaise in Normandy as a prisoner of war, where he lay in fetters for five months, until the terms of peace with England were arranged. These terms were that he was to be Henry's vassal. Earl David, his brother, and the other nobles were to become liegemen to the English Crown; the

Scottish Church was to acknowledge its subjection to the Church of England, the latter to possess all rights exercised by the former; Earl David and twenty-one barons were to remain as hostages until the castles of Edinburgh, Stirling, Berwick, Roxburgh, and Jedburgh were surrendered, and each nobleman was to give up his son or next heir as a pledge for the due performance of the treaty after his release. This meant the surrender of Scottish independence. On the execution of this treaty William was released. A few months after this, or in the summer of 1190, William and his nobles met King Henry of York, and confirmed what was called the Treaty of Falaise. For fifteen years it remained in full force or until the death of the English King.<sup>1</sup>

Regarding the situation of the Ancient Capital, there is a Ruthven charter dated 1200, in the reign of William the Lion, from Walter, son of Alan, one of the Ruthvens, to the Abbey of Scone conveying "that whole land which Suane, the son of Thor, my grandfather, gave to them in Tibbermuir according to its marches, viz., in the King's well in the street which comes from Perth and leads to the present village." This well is two miles from Perth. It is said that if Perth had then been situated two miles up the river, and on the north of the Almond, the road from it to Tibbermuir would have had quite a different direction.

In 1201, the first Ecclesiastical Council was held in Perth in the Church of St. John. It was presided over by the Cardinal John de Salerno. Pope Innocent II. sent William the Lion presents, a sword set with precious stones, and a purple hat shaped

<sup>1</sup> Scotland under her Early Kings.

like a diadem. This Council decreed that all men should cease from their secular occupations on Saturday at noon, and not resume until Monday morning. At the sound of the bell every person was to go to service. This was ratified by the Scottish Parliament. A writer of the time, not devoid of humour, says of the Cardinal: "John ate not flesh, neither drank wine nor strong drink, nor anything wherewith he might be drunken: howbeit he thirsted after gold and silver!"

The real golden age of Scotland—the time of peace with England, of plenty in the land, of law and justice—was the period of a full century following the treaty between William the Lion and Richard Cœur de Lion, comprehending the reign of William, and the long reigns of the second and third Alexanders.<sup>1</sup>

The inhabitants of Perth were much indebted to William the Lion for many special privileges. We find from the official records, that by his orders no stranger merchant, of whatsoever nation, could buy or sell any kind of merchandise without the burgh, but within the burgh exclusively, and chiefly to merchants and from ships pertaining to merchants of the burgh. No stranger merchant arriving with ships and merchandise was allowed to cut cloth or sell in pennyworths, but in greater quantities, and that within the burgh and to the merchants of the burgh. And if any stranger merchant was found doing the contrary he was to be apprehended by the servants of the guild and punished as a breaker of the King's protection. But a more curious ordinance is what was called the assize of water: "This is the King's assize of waters made at Perth by Earls, Barons and Judges

<sup>1</sup> Cosmo Innes.



of Scotland on the Wednesday next before the feast of St. Margaret: That the mid stream is to be free as much as a swine three years old, well fed is of length, so that neither the gronzie nor the tail may win till ony side. And the water is to be free so that no man there shall take fish from the Saturday at even till Monday at sun rise."

And still more curious is his law of Byrthensak: "Of Byrthensak, that is to say if the theft of a calf or a ram was made as a man may bear on his back there is no court to be held; but he that is lord of the land where the thief is caught shall have the sheep or the calf to be forfeited and the thief is to be 'weil dungyn' (well thrashed) or his ear to be shorn. To do so there shall be got two leal men. No man is to be hanged for less price than for two sheep, of the which each must be worth sixteenpence. In the matter of mills and multures, the King ordains that if any be wont to pass in private to another mill with his corn without leave of the miller and he be taken to the landlord's servant (factor), the landlord shall have half the horse and the miller the sack and corn. When the King comes into any county the judges of that county are to come to him the first night. It is not lawful for them to pass from the King's Court before the King pass from the county unless by license of the King. Also the King has ordained that if any judge pass out of the King's Court without leave he shall give the King eight kye for the forfeit."

One of the chief acts in the reign of William the Lion was his famous Charter to the town of Perth, dated in 1210. Though this Charter is reproduced in the Acts of the Scottish Parliament and in the Town

Council Register in Latin, no English translation has ever been given to the public. Considering the remarkable nature of this ancient document, we have had it specially translated for this work. It is the oldest Charter that is to be found in the archives of the Ancient Capital. Though 700 years old, it must be regarded as an ingenious, well-conceived, and shrewd paper, and would do no discredit to the enlightened legislation of the present day. It is in every way a valuable document, of which any municipal corporation might be proud. It must not be forgotten that William the Lion took a much greater interest in the Ancient Capital than any other of the early kings.<sup>1</sup> He was a ruler whose policy was "peace and prosperity," "peace with honour," and who spent his life in Perth, and warmly interested himself in the life of the people and in the welfare and prosperity of the burgh. Such a man will always receive honourable mention in connection with the history of Perth.

William, by the Grace of God King of Scots, to all good men both clergy and laity, greeting. I absolutely forbid any foreign merchant within the county of Perth outside my burgh of Perth to sell or buy anything contrary to my prohibition, but a foreign merchant may come with his wares to my burgh of Perth, and there sell them and exchange his money. But if any foreign merchant contrary to this order of mine be found in the county of Perth buying or selling anything, he may be arrested till I express my good pleasure in regard to him. Moreover, I absolutely forbid any foreign merchant to cut his cloth for sale in my burgh of Perth except from Ascension Day till the Bonds of St. Peter, within which period I will that they themselves cut their

<sup>1</sup> From the use of the lion rampant on his seal he was known as William the Lion.

cloths for sale in the market-place of Perth and there buy and sell their cloths and other wares in common with my burgesses as my dominican burgesses do according to my instructions.

Moreover, I command that all who reside in my burgh of Perth and wish to trade with my burgesses, trade with them in the market-place with a view to paying my taxes whatever sort of men they may be. Moreover, I forbid anyone to keep a tavern in any town within the county of Perth except where a *person of knightly degree is lord of the manor* and resides in it, and that he shall have only one single tavern. I also grant to my burgesses of Perth permission to have their own merchant guild except the fullers and the weavers. Moreover, I absolutely forbid anyone residing within my burgh of Perth in the county of Perth to make dyed or mixed cloth within the county of Perth or to cause anyone to make it except my burgesses of Perth who are in the merchant guild, and who share the payment of my taxes with my burgesses, excepting those who have their own charter granting this liberty (thus far). So I absolutely forbid anyone in the county of Perth to presume to make dyed or shorn cloth *contrary to my full permission*. But if any dyed or shorn cloth be made contrary to this order I instruct my officer at Perth to take such cloth, as far as possible, and then act according to the custom which was in the time of my grandfather King David. I also rightly grant my sure protection to all those who bring to Perth wood and timber. So I forbid anyone to molest them in buying or selling it after they have come within a league of Perth. Moreover, I grant to them these privileges and rights and confirm them by this my charter. Moreover, I absolutely forbid any foreigner without my burgh of Perth to buy or sell hides or wool except in my burgh of Perth.

*Witnesses*—Prince David my brother ; Philip of Valoni my chamberlain ; Robert of Loudon my son ; William Cumyn ; William of Boscus ; Hugo, my clerk of the Seal ; Alexander, Viscount of Stirling ; Henry, son of Prince David ; Roger (de) Mortimer ; David Marshall ; John of Stirling.

At Stirling on the 10th day of October.

In early times the fishing of salmon belonged to the Crown, and could not be enjoyed by any subject without a special grant by charter, though a right of salmon fishing followed a general grant of fishing after forty years' prescription. David I. gave to the Abbey of Holyrood a right to have one draw of a net for salmon; and in 1160 the Abbey of Scone had two nets in the Tay. By a law of William the Lion the midstream of all salmon rivers "was free for the length of a three-year-old pig" (see p. 214). In the reign of Alexander III. salmon might be fished in all waters except those flowing into the sea. No one could fish for salmon from Saturday night till sunrise on Monday, nor a "forbidden time," under an old penalty. Offenders against the salmon fishing laws were liable to forty days' imprisonment. Those thrice convicted suffered death. It was also forbidden to catch salmon in nets at mill dams, salmon fry at lades or dams, and red fish at any time.

The first tax of which we have any actual record was imposed in 1190 to assist William the Lion in paying off the 10,000 merks, which he agreed to pay to Richard I. of England to obtain the discharge of the Treaty of Falaise already referred to.

In 1196 William was seized with an alarming illness at Clackmannan, and in immediate expectation of death, assembled his nobles, declaring as his successor Otho of Saxony, a son of Henry the Lion, and subsequently Emperor of Germany, on the stipulation that the prince should marry his daughter Margaret. The King, however, recovered, and his proposal fell to the ground. Three years afterwards his son Alexander was born. His two daughters were married to English barons.



It has been said that Perth was founded by William the Lion, a statement that is without foundation. He gave orders to replace the property swept away by the flood of 1210; but as he died in 1214, or four years afterwards, it is evident he could not have rebuilt much of the town. His funeral took place on 8th December, 1214, and we are informed that David, Earl of Huntingdon, came from Scone to Perth, with the young king, Alexander II., to attend the funeral of his brother, King William, whose remains were brought from Stirling to be buried at Aberbrothock. He met the cortege in the middle of the Perth Bridge, where he alighted from his horse, and though he was much overcome by the death of his brother, and feeble in body from the infirmity of age, he took one of the arms of the bier upon his shoulder, and so proceeded with the other nobles to the end of the Bridge, where a cross was ordered to be erected in commemoration of the event, and of his loyalty and affection to King William.

In 1237, King Henry III. of England and Alexander II. met at York. Otho, the Pope's legate, was also present, and expressed his intention of visiting Scotland, to which Alexander replied: "I do not remember ever to have seen, in my dominions, a legate from the Pope; neither is his presence necessary with us, for hitherto the condition of our Church is prosperous. The King, my father, and my other predecessors, never admitted a legate into Scotland; neither will I, while I retain my authority. You have the reputation of being a holy man, and therefore, should you visit Scotland, I counsel you to beware, for lawless and bloodthirsty savages dwell in



my dominions. I myself am not able to keep them in subjection. You may have heard how they lately made an attempt on my person, and sought to expel me from my kingdom. Were they to restrain you, my authority would not restrain them." After this clever speech from the young King, the legate decided not to visit Scotland.

In 1242, a General Council of the Church was convened at Perth, which was attended by the King, his earls and barons, and the Code of Canons then agreed to was ratified. The King enjoined the knights and barons under severe penalties to abstain from injuring the clergy, or encroaching on the customary privileges of the Church. In 1246, some Perth merchants got into trouble abroad, and the King guaranteed King Henry III. that he would satisfy the merchants of Bordeaux about the feast of St. Michael, for all debts that they could show to be due by his men of Perth. The officers at Lynn were commanded to deliver all the arrested vessels and goods belonging to the said men of Perth.

Alexander III. (son of Alexander II.) was a great lover of outdoor recreation. When he moved in peace he was accompanied by his hawks and hounds. Forfar and Glamis were ancient demesnes of the Crown. In 1263 the Sheriff of Forfar stated as part of the expenses of the year eight and a half chalders of corn consumed by the King's falcons in twenty-nine weeks; four chalders for the food of seven puppies and their dam; twenty-four chalders for the King's horses; and four and a half for the wild boars. Are we to conclude from the last that the native wild boar of the Caledonian Forest had become extinct or scarce in Strathmore, and that a

supply was reared for sport?<sup>1</sup> In 1264 took place the romantic marriage of the parents of King Robert Bruce. The young Countess of Carrick went out hunting one day with her squires and handmaidens, and met a gallant knight riding across country, the son of the Lord of Annandale. When greetings had been exchanged, she desired him to stay and hunt and walk about, and with her own hand made him pull up, and eventually brought him to her Castle of Turnberry. After remaining there a fortnight he took the Countess to wife; while the friends of both parties knew nothing about it, nor had the King's consent been obtained. The common report in the country was that she had seized—by force as it were—this youth for her husband. When this came to King Alexander's ears, he took the Castle of Turnberry, and made all her other lands and possessions be acknowledged as in his hands, because she had wedded Robert Bruce without consulting his Majesty. By means of friends and a certain sum of money Bruce gained the King's favour, and got back the whole domain. This exploit, Lord Hailes remarks, is rather that of a widow than a virgin; but the accounts of the Sheriff of Ayr for 1264-65 show that in these years the lady's ward was in the hands of the Earl of Buchan, and therefore that she was at least not a widow of mature years, but hardly above twenty-six when the encounter took place.<sup>2</sup>

In 1265 Alexander III. held an assembly in Perth to receive an envoy from the King of Norway. On the 2nd July of the following year another assembly was held at Perth of a very important character. It

<sup>1</sup> Cosmo Innes.

<sup>2</sup> Exchequer Rolls.

was agreed, as the result of a war that broke out between Haco, King of Norway, and Alexander, that Norway should cede to Scotland all right over the Hebrides and the Isle of Man, and generally over the Western Islands. In a Council held at Perth in 1269, attended by the King and chief barons of the kingdom, the Abbot of Melrose and most of his brethren were solemnly excommunicated. These men had violated the peace of the territory of Wedale, had assaulted some houses belonging to the Bishop of St. Andrews, had murdered an ecclesiastic, and wounded many others. In 1275 an emissary of the Pope held a Council in Perth. The object was to collect the tenth of all ecclesiastical benefits for relief of the Holy Land. The clergy paid the tenth upon oath and under the terror of excommunication.

In 1281 we have the following entry recorded: "Contract of marriage between Eric, King of Norway, and Margaret, daughter of Alexander, King of Scots. Roxburgh, Feast of St. James the Apostle, 1281."

"Scriptum cirographatum apud Berwick duplicatum: Sed alterum eorum fuit missum in Norwegiam; Sed fuit reportatum et submersum cum Nunciis Regis."

The assembly of nobles at Scone who acknowledged the Maid of Norway in 1283 consisted of thirteen earls and fourteen knights and barons. The little maid, the issue of the marriage, died in September, 1290, on her way to Scotland.

In 1284 Alexander III. wrote the King of England, and thanked him for a long course of benefits and for his sympathy, which had afforded him comfort in the troubles he had sustained and still felt through the death of his beloved son. He reminded the King of England that though death

had carried off all of his blood, one yet remained, the child of his dearest daughter, the late Queen of Norway, now the heir-apparent of Scotland. Much good might yet be in store for them, and death only could dissolve their league of unity.

In 1292 there is an entry in the calendar which will be read with interest. The King commands the Sheriff of Kent to value and deliver the goods and chattels of the late Isabel, Countess of Atholl, to her husband, Alexander Baliol, who has given security for her debts. The valuation on oath of Roger Gusing and thirteen others states that there were in the Manor of Chileham two cart-horses each worth ten shillings, twelve stots each worth four shillings, thirty-two cows each worth four shillings, thirty-three swine each worth one shilling, two sows each worth one shilling and fourpence, ten pigs each worth sixpence, forty-one sheep each worth eightpence, ten lambs each worth fourpence, forty-three acres, sown with wheat, each worth three shillings and fourpence, thirty-five acres barley each worth two shillings, forty acres peas and vetches one shilling and eightpence, twenty-one acres oats one shilling and fourpence per quarter. Same are all delivered to Alexander Baliol. Valuation Seals appended.<sup>1</sup>

The death of the Maid of Norway, the determination of Edward I. to profit by that event, his self-appointment as Lord Superior of Scotland in order to select his own nominee for the Crown, his selection of John Baliol over the head of Robert Bruce, and the refusal of the Scottish people to concur with his procedure, were the events which followed on the Norham Conference of 1291 and its protracted

<sup>1</sup> State Paper Office.

adjournments and negotiations. Edward, in 1291, declared war, and the English troops invaded Scotland by seizing Berwick and advancing to Edinburgh. Thence, with the King at their head, they advanced to Perth and Scone, arriving in the middle of June, where Edward kept the feast of the nativity of St. John the Baptist with circumstances of high feudal solemnity, regaling his friends, creating new knights, and solacing himself and his barons.<sup>1</sup> Some writers say that it was on this visit that Edward carried away the Stone of Destiny and what MSS. he could lay his hands on. He then went north by Montrose, Aberdeen, and Elgin, and returned to London.

Robert Bruce and John Comyn of Badenoch, the "Red Comyn," were at this period competitors for the Crown. Comyn was Baliol's nephew. Bruce was determined to relieve his countrymen from the bondage of the English King. Bruce and Comyn had an interview, when Comyn proposed to resign in Bruce's favour, on certain conditions, all his pretensions to the Crown. A contract to this effect was made, profound secrecy sworn to, and Bruce returned to the English Court. Some time after this, he was advised to make his escape, as Comyn had sent a copy of the contract to Edward and advised him to slay Bruce. Bruce posted down to Scotland and intercepted a letter sent by Comyn to Edward. This letter confirmed Comyn's treachery. He rode to Dumfries, found Comyn at his prayers in the Greyfriars' Church, showed him the letter, and charged him with treachery. As the conversation became fiercer and fiercer, Bruce drew his dagger

<sup>1</sup> Tytler.



and dealt Comyn a fatal blow. When he came out and joined his friends, they saw that something was amiss. Bruce said there was something much amiss, for he feared he had slain Comyn. Thereupon one of his followers named Kirkpatrick said: "I mak siccar," and, entering the church, slew the wounded man outright. Comyn's uncle was killed beside him.<sup>1</sup>

SCOTTISH NATIONAL MANUSCRIPTS.<sup>2</sup>

Edward I. issued a writ to the Bishop of St. Andrews and others intimating that he had appointed the abbots of Dunfermline and Holyrood and others to examine the charters and other papers in Edinburgh Castle and elsewhere, and to deposit them in a place to be assigned. This writ is dated at Berwick, 1291, and indicates what great care the King had of the records of Scotland. The MSS. in Edinburgh were removed to Berwick ten days after the date of that letter, and Sir Joseph Ayliffe shows that "an inventory of the Scottish Records at the time of their being brought to London by Edward I. had been strangely misapprehended, an error that has caused much confusion. It was a document of a very different character, being a schedule of all the bulls, charters, and other muniments in the Treasury at Edinburgh on Michaelmas Day, 1282, three years before the death of Alexander III., which, being inspected under that King's order, were ordered to be preserved in that place, together with sundry letters

<sup>1</sup> The granddaughter of David, Earl of Huntingdon, brother of William the Lion, was Devorgoil, who married John Baliol—a wealthy lady, who afterwards founded Baliol College, Oxford. The sister of Devorgoil was married to John Comyn, Lord of Badenoch.

<sup>2</sup> Acts of the Scottish Parliament.

and papers relating to Scottish affairs, put into boxes, coffers, and bags, and secured under seal. Whatever became of these, it is pretty certain that nothing but the mere inventory ever reached the English Exchequer. It is to be presumed rather than asserted that the muniments of Scotland, delivered by inventory to Sir Alexander Baliol, Chamberlain on behalf of King John at Roxburgh Castle, after King John's Coronation in 1292, and then found in Edinburgh Castle, and delivered in a similar manner to Sir Hugh Cressingham, treasurer at Berwick, on 16th September, 1296, may have included those already referred to as extant in 1282. Those papers comprised in all probability the entire public muniments of Scotland during the greater part of the thirteenth century, and possibly earlier, and are a loss to be ever deplored. There is not a particle of evidence that any were ever transferred to England, still less that any were destroyed by the great Edward, whose anxiety was rather to discover than to suppress writings, as is clear from his many writs to the religious houses commanding search to be made for evidence in support of his claim of superiority.

At this momentous period Sir William Wallace came forward with the determination to deliver his country. He was a young man of extraordinary physical power and physical endurance, and from all accounts must have been between twenty and thirty years of age. During his short but brilliant career he was much identified with Perth, where he achieved some of his most heroic deeds. He was the second son of Sir Malcolm and Lady Wallace of Elderslie, near Paisley, a family that was then well known in the west of Scotland. His mother was one of the Crawfords

of Loudoun, a very old family. His maternal uncle was Crawford, laird of Kilspindie. Wallace and his mother, we are informed, went there for safety from the English, Wallace having begun his pranks when he was a boy of fifteen or sixteen. From Kilspindie he went to school in Dundee, for what period is not recorded. His father and elder brother were at this period killed by the English at Loudoun Hill, near Kilmarnock, and this incident he appears never to have forgotten. His uncle, Sir Hugh Crawford, was Sheriff of Ayrshire. Wallace went to reside with the Sheriff at Crosbie Castle for a short period. In April, 1296, he went to fish in the water of Irvine, and is reported to have slain two Englishmen on this occasion evidently because of the death of his father. After this he raised a band of fifty men to harass the English, who were then laying waste Scotland. His uncle, the Sheriff, persuaded him to give this up, which he did for a short time. In September following, however, he resumed his depredations, and among these he is reported to have killed some Englishmen on his way to Glasgow, for no other reason than that he was determined to put the English out of Scotland, where he considered they had no business. He then fled to Lennox Castle, where sixty volunteers joined him. Thereafter he marched to Stirling, thence to Methven wood, which for a time became his rendezvous. With some of his men, he is reported to have entered Perth in disguise, where they remained unknown for several days. His object was to ascertain the strength and condition of the English garrison, in order that he might make his arrangements for an attack upon it, and for a siege of the town.

Wallace's movements at this date, 1296, are very imperfectly recorded, but it seems highly probable that after this visit to Perth he went over to France to consult the French King. We are informed that on his return from France he landed above the mouth of the Earn, and ordered a ship to be sunk in the narrow passage to prevent the English ships from sailing up the river. With about twenty men, among whom was Thomas de Longueville, the French pirate whom he captured on his voyage to France, he came to Elcho Park. Crawford, the laird of Elcho, was a cousin of Wallace, and presumably a grandson of the laird of Kilspindie. Crawford and his wife, at great trouble to themselves, concealed Wallace and his followers for some little time. His whereabouts, however, became known, and an engagement between him and an English contingent took place at Elcho Park in November, 1296. It would appear that Crawford fought with Wallace in this skirmish, was wounded, and it is said was carried off the field by Wallace himself.

Fawdon, said to be a singular character, also aided Wallace against the English at Elcho Park. The battle continued along the north side of the Earn. Fawdon stood still near the Castle of Dupplin, saying he was spent with fighting and would not move farther. Wallace, suspecting his fidelity, and provoked by his obstinacy, struck off his head. When Wallace arrived that night at the House of Gask he was much troubled in mind, as the ghost of Fawdon is reported to have appeared before him.<sup>1</sup>

<sup>1</sup> From the feet to the shoulders, which was all of it that was visible, it seemed to be of uncommon dimensions, and what more particularly riveted the attention of Wallace, a human head hung dangling from its hand. While gazing on this

A few days afterwards he returned to Perth from Methven wood, where he had gone after the battle of Elcho, disguised as a priest, to visit a fair maid whose acquaintance he had made. She had undertaken to betray him to the English, but repented and warned him of his danger. On this he assumed feminine dress, given him by the woman, and managed to escape to Elcho Castle. Two English soldiers having heard of his presence, when they saw they were duped, pursued him as far as the South Inch and probably beyond it; but he turned on them, and evidently slew them both without much difficulty.

This incident, coming to the ears of Heron, the English governor of Perth, created some surprise, and orders were immediately given to secure Wallace. This task was given to Sir James Butler, chief officer under Heron, and we are informed that while Sir James and his force were leisurely pursuing their way to Kinclaven the following morning, he was suddenly attacked by Wallace and his devoted band. Wallace personally encountered Butler and slew him, and Butler's force immediately fled. Wallace pursued them as far as Kinclaven Castle, and most of them were put to death. There were very few occupants in Kinclaven Castle, which became an easy prize to the victors. It was well equipped with money and stores, and Wallace, having seized these and secured them in a place of safety in the neighbourhood, set object its hand was slowly raised, and the head which it held, after striking the helmet of Wallace, fell with considerable violence to the ground. Snatching it up he discerned by the light of the moon that it was the head of Fawdon, and turning to the place from whence it was thrown, he saw the figure of the man endeavouring to descend by a broken part of the wall.

—BLIND HARRY.



fire to the Castle, and burned it to the ground. Sir Gerald Heron, the English governor of Perth, hearing of this unexpected defeat, despatched Sir John Butler, son of Sir James, with a force of 1,000 men in pursuit of Wallace. Both parties met in the neighbourhood of Kinclaven, when a severe skirmish took place, both sides maintaining their ground. Wallace and his band eventually found their way to Cargill wood, where they were able to defend themselves, after which they went on to the wood of Methven.

The Elcho property evidently passed out of the hands of the Crawfords shortly after, for in the reign of Robert Bruce it was the property of Alexander, Lord Abernethy. David Lindsay of Glenesk, ancestor of the Earls of Crawford, and his mother, Catherine Abernethy, a co-heiress of Alexander, founded a nunnery about a mile north from Elcho Castle, in a piece of ground which belonged to the monastery of Dunfermline. The nunnery stood at Orchard Neuk on the south bank of the Tay, about a mile nearer Perth than Elcho Castle, and existed some centuries before the Reformation.

In July following, Wallace assembled his forces in Clydesdale and totally defeated the English army near Biggar. On the 11th September, 1297, he achieved the most heroic act of his life by defeating the English army at Stirling Bridge, thanks to the remarkable ingenuity and stratagem he manifested on that occasion. After this victory he was proclaimed Governor of Scotland, which title was recognised by the Scottish Parliament of 1298 as follows: "William Wallace, Knight, Governor of the Kingdom of Scotland, and leader of its armies, in name of the Excellent Prince, John Baliol, by the

grace of God, the illustrious King of Scotland, and by the consent of the community of the same." Sir Andrew Moray, Lord of Bothwell, a brave officer and an early associate of Wallace, was the only person of note on the side of the Scots who was killed at Stirling Bridge. His representatives are the Morays of Abercairny.

From December, 1297, Wallace resided at Gillsbank near Lanark, where he fell in love with and married Maria, daughter of Hugh Braidwood of Lamington. She is described as an amiable and high-principled lady. Hyslop, Sheriff of Lanark, besought her to marry his son; but Wallace, having seen her in his expeditions, made proposals of marriage to her, which were accepted. She bore him a daughter, but shortly after the birth of the child, having deceived those who were pursuing her husband, she was actually put to death by them. This child married a Mr. Schaw, from whom, says a chronicler, many godly men have descended. Afterwards a descendant of hers was married to Sir William Baillie of Hoprig, East Lothian, ancestor of the Baillies of Lamington. Their descendant, Henrietta, heiress to the same estate, was married to Robert Dundas of Arniston, president of the College of Justice. Their daughter Elizabeth, heiress of Lamington, and lineal representative of the daughter of Wallace, was married to Admiral Sir John Lockhart Ross, who at one time was M.P. for Lanarkshire.

#### FIRST SIEGE OF PERTH.

It can hardly be said that the siege of Perth in 1297 was in reality the first siege, because the Danes undoubtedly laid siege to the town in the tenth

century, and we have no means of knowing what occurred between that time and the advent of Wallace. The first siege of Perth was early in 1297, when Wallace resolved to attack and remove the English garrison, and relieve the town from bondage. He made his preparations, and he had a band of devoted followers sufficient to warrant him undertaking so great and perilous an enterprise. He was accompanied by Sir John Ramsay of Auchterhouse and Sir John Graham, two very devoted friends. Ramsay joined him in 1296 with sixty followers, and was engaged with him in various enterprises. At that period the population of the town was small, but its central position and its being the ancient capital made it of great importance to the English King. On this occasion Wallace's plan of operations was to surround the town, fill the fosse which surrounded the fortifications with earth and stone, and place trees across so as to enable his men to get an easy passage to the wall. The siege on these lines was deliberately and skilfully carried out. Ramsay and Graham attacked the Turret Bridge, which stood where High Street and Methven Street meet, while Wallace with his men scaled the wall, and immediately entered the town unobserved. It is recorded that a great slaughter took place, estimated by some writers at 1,000, by others at 2,000; but this is, we think, overstated. We have no intimation as to what was the duration of this siege, but so daring an adventure overwhelmed the garrison, as they were quite unprepared for it. The result filled Edward with dismay. Sir John Stewart, the governor, escaped for his life, while a great deal of booty fell to the victors. Wallace substituted his

own garrison for that of the English, but whether he appointed Sir John Ramsay or Sir William Ruthven governor is certainly not clear. Sir William Ruthven with thirty men joined Wallace at this engagement, and fought with determined energy. Whatever may be the number slain, there was evidently a great slaughter of the English. For this heroic behaviour Ruthven was made Sheriff of Perth.

In 1304 we get a glimpse of the extravagant living of those in authority. The papers in the State paper office inform us that the following represents one week's supply to the Prince of Wales by the controller of the Royal household. The town was at this period in the hands of the English King:—Total cost for the week, £99. Endorsed "on the Friday of the Lord's nativity, there dined with the Prince the Earls of Lancaster, Warwick, Atholl, Strathearn, and others." There were taken from the King's stores  $8\frac{1}{2}$  loaves, 40 lambs, 20 Aberdeens, 11 swans, 2 crows, and 5 casks of the King's wine. Another week the same company dined with the Prince. The supplies from the King's stores were, 3600 herrings, 156 stoke fish,  $5\frac{1}{2}$  bushels salt,  $3\frac{1}{2}$  gallons oil,  $\frac{1}{2}$  gallon honey,  $1\frac{1}{2}$  gallons vinegar,  $\frac{1}{2}$  gallon vergas, 2 casks or cisterces of wine, 9 quarters oats, 36 lbs. wax.

It is not stated where these festivities took place, but there is every probability that it was in the Castle at Perth. There was great scarcity of food at that time, as well as scarcity of money. The King's stores were in all probability at Berwick, for we are informed that boats carrying stores sailed frequently between Berwick and Perth, until Scotland's independence was secured at Bannockburn in 1314.

## CHAPTER VIII.

Wallace sets fire to the Barns o' Ayr, and burns the English soldiers—Epitaph by Wallace on Sir John Graham, slain at Falkirk—Second siege of Perth by Wallace, and capture of the town—Speech by Wallace when desired to surrender—Edward I. arrives at Perth with his troops—Betrayal and Execution of Wallace—Robert Bruce crowned at Scone—Countess of Buchan imprisoned in a Cage—Siege of Perth by Robert Bruce (third siege)—Siege of Perth by Robert Bruce (fourth siege)—Beatrix of Perth—Death of Robert Bruce—Battle of Dupplin, and seizure of Perth by Edward Baliol—King Edward's version of the Battle of Dupplin (specially translated)—Perth taken from the English after a siege of three months (fifth siege)—Siege and capture of Perth by Edward III. (sixth siege)—The Treaty of Perth (1335), Edward and the Scottish nobles—Edward assassinates his brother in St. John's Church—Edward's secret Letter to the King of France, dated at Perth—Perth visited by the Plague—Siege of Perth by the Regent of Scotland, and surrender of the English under Oughtred (seventh siege)—The Drummond Family acquire Stobhall—Royal Mint established at Perth—John Mercer and his son liberated by the English—Expense of King Robert's Tombstone.

IN April, 1298, Edward held a Council of War at Carlisle, caused by Wallace's successes, at which a stratagem was resolved on to destroy a number of the Scottish nobles in the Barns or Barracks of Ayr. This cruel massacre is said to have taken place on 18th June following, when many of the nobles were treacherously put to death before they could defend themselves. These included Sir Reginald Crawford, Sir Bryce Blair of Blair, and



many others. Wallace, on hearing of this, proceeded to Ayr with the determination to avenge the deed, and give the English a *quid pro quo*. He reached Ayr during the night with his devoted band, succeeded in setting fire to the Barns o' Ayr occupied by the English garrison, and it is said the entire occupants perished in the flames, Wallace and his party allowing no one to escape. In the morning Wallace and his band stood on the hill of Craigie, eight miles north of Ayr, and witnessed the fire, which was still burning. According to tradition, he exclaimed: "The Barns o' Ayr burn weel," and ever since, that hill and the estate on which it stands have been called "Barnweill."

Knowing that Edward, who was in Flanders when the battle of Stirling Bridge took place, was personally on the march with a great army, Wallace made his arrangements to give battle to the English King. On 22nd July, 1298, the battle of Falkirk took place, when Wallace was totally defeated, and some of his most devoted followers slain. Both parties, unknown to each other, resolved to go to Perth, and the following characteristic note appears in Tytler: "Beginning to be in distress for provisions, the English pushed on to Perth, which they found already burned by the Scots themselves. They returned to Stirling, being unable to support themselves for want of provisions." This is a statement we are unable to confirm. For a considerable period Edward had had a garrison in Perth. Sir John Graham, the faithful companion of Wallace, was slain at this battle. Wallace, taking his dead body in his arms, is reported to have said: "My best brother that ever I had in the world, my sincere

friend in my greatest need : in thee was wit, freedom and hardiness ; truth, manhood and nobleness." He was interred at Falkirk, with the following epitaph on his tombstone : "Graham is buried here ; slain in battle by the English. He was strong in mind and body, and was the faithful friend of Wallace." It seems evident that Edward's troops arrived at Perth from Falkirk before Wallace. In this second siege of Perth, of which we have no details, Wallace was ably assisted by Sir William Ruthven. Both disguised themselves as peasants, and got access to the town unknown to the garrison. Fordoun gives us a curious incident in connection with the second siege of Perth. He says Edward made liberal offers to Wallace to submit, and when some of Wallace's friends were endeavouring to persuade him, he with some emotion answered : "Oh, desolate Scotland ! too credulous of fair speeches, and not aware of the calamities that are coming upon you ; if you were to judge as I do, you would not easily put your neck under a foreign yoke. When I was a boy the priest, my uncle, carefully inculcated upon me this proverb, which I then learned and have ever since kept in my mind, 'I tell you a truth, liberty is the best of things. My son, never live under any slavish band.' Therefore I shortly declare that, if all others, the natives of Scotland, should obey the King of England, or if everyone of them were to part with the liberty which belongs to him, I and my associates will stand for the liberty of the kingdom, and, by God's assistance, will only obey the King (John Baliol) or his lieutenant." It is generally understood that after the battle of Falkirk, Wallace paid another visit to the French King, and that he and his party were received

with distinguished honour. The time of their stay in Paris was chiefly occupied in persuading the King to afford aid to the Scottish monarch in establishing and maintaining his Crown. King Philip was willing to grant the request, but it does not appear that anything came of it.

On 24th February, 1303, the English army, under John de Segrave, was surprised and defeated by the Scots at Roslin. This so enraged the English King that at the head of an immense army, commanded by himself and his son, he again entered Scotland. He came to Perth on this occasion, and penetrated as far north as Aberdeen and Banff. His journey was practically unopposed, as every place save Stirling and Brechin submitted to him.

In 1305 there was held an inquiry before Malise, Earl of Strathearn, and Sir Malcolm Drummond of Innerpeffray, deputy of John de Sandale, Chamberlain of Scotland, on certain articles affecting Michael de Miggel, by Gilbert and others who stated on oath that Miggel had been taken prisoner forcibly, against his will, by William Wallace: that he escaped once, but was followed and brought back by accomplices of Wallace, who, they said, was resolved to kill him for his flight: that he escaped another time but was again brought back a prisoner by force and hardly escaped death, some accomplices of Wallace's entreating for him, whereon he was told that if he tried to get away a third time he should die. Thus it appears he remained, through fear of death, and not by his own will.<sup>1</sup> This is an incident that shows how sharply Wallace looked after his men, certainly very necessary in those turbulent times.

<sup>1</sup> Kal. Doc. Scot.

William Ker of Kersland joined Wallace in 1296. He and Stephen of Ireland are said to have been the only two of Wallace's men who survived the battle of Elcho. Ker was the constant friend and companion of Wallace. In 1305, when Wallace was taken prisoner at Robroyston, William Ker only was with him. They were found both asleep, and Ker was unfortunately killed in the scuffle. Wallace was basely betrayed by Sir John Menteith, and was arraigned in Westminster on 23rd August as a traitor against the King of England. In mockery he was crowned with laurels at the trial, and was thirty days a prisoner before his execution. He maintained his unconquerable spirit to the last. His heart was placed on London Bridge, his limbs sent to Scotland—his right leg to be put up at Perth, and his left at Aberdeen. It is said he was only thirty years of age at his death, and there seems no reason to doubt this.

William Bisset was one of the arbiters between the competitors for the Crown of Scotland in 1291. He was a friend of Wallace, and took an active part in the second siege of Perth. He was afterwards killed in battle by Sir John Siward. John Blair of Balthayock was a fellow-student with Wallace at Dundee, and a constant and devoted companion, and was entrusted with Wallace's confidential messages. He became a monk after Wallace's death, and changed his name to Arnold to avoid suspicion. Sir Neil Campbell of Lochow, ancestor of the Dukes of Argyll, attended the Dundee School with Wallace. He and Duncan M'Dougall of Lorn on one occasion sought Wallace's assistance against M'Fadzean, an Irishman who commanded an Irish regiment, to whom Edward had given their lands.

Wallace, with the Campbells and M'Dougalls, defeated and killed M'Fadzean, and erected a monument on the hill of Craigmore, with M'Fadzean's head on the top of it, in memory of the victory.

Robert Bruce was crowned at Scone on 27th March, 1306, when a curious incident occurred. On the second day after the coronation the nobles were surprised at the sudden appearance of the Countess of Buchan, sister of the Earl of Fife, who claimed the honour of placing the King in the Chair, a right which belonged to her family. According to some English writers, Bruce not deeming his coronation complete because it was not performed by the Earl of Fife, to whose family it belonged by hereditary right, the Countess of Buchan, willing to satisfy Bruce's scruples and maintain the rights of their family, not only withdrew privately from the Earl of Buchan, her husband—being of the family of Comyn, he and the whole of that name were opposed to Bruce for the murder of John Comyn, Lord of Badenoch—but took along with her his war horses for Bruce's service, and crowned him at Scone with a little crown made for that purpose. By reason of this, Queen Margaret, wife of Edward, interceded for Bruce's pardon, which was granted.<sup>1</sup>

Robert Bruce had four brothers: Edward, Earl of Carrick and King of Ireland, who fell at Dundalk in 1308; Thomas and Alexander, made prisoners at Lochryan, and executed by order of Edward I. at Carlisle, 1306-7; and Nigel, who surrendered at Kildrummy in 1306, and was beheaded. They all died without issue.<sup>2</sup> The Countess of Buchan

<sup>1</sup> Maitland.

<sup>2</sup> Exchequer Rolls.



appears afterwards to have been apprehended by Edward I. for being engaged in conspiracies. She was cruelly imprisoned at Berwick in a cage specially made for the purpose, and in this she remained seven years, but was released by Edward II. on the death of his father. This cage was ordered to be so constructed "that the Countess may have therein the convenience of a decent chamber, yet all things shall be so well and surely ordered that no peril may arise respecting her secure custody; and the person into whose charge she may be committed shall be responsible, body for body, and he shall be allowed his reasonable charges."

Another melancholy entry under date 23rd October, 1297, says that the Sheriff of Warwick and Leicester is commanded to allow Isabella Comyn, Countess of Buchan, to fell underwood in the wood of Whitewick to the amount of £10 for her sustenance; on 7th November, 1306, further orders were issued for the Countesses of Carrick and Buchan, Marie and Christine the sisters, and Marjorie the daughter of Robert Bruce, and other Scottish prisoners, three of the ladies to be in cages. All this was under the tyrant Edward I., and this must have made more acute the animosity of Robert Bruce towards that despotic ruler. How these ladies got into his hands is not stated.

#### THIRD SIEGE OF PERTH.

The first important enterprise of Bruce three months after his coronation was an attempt to seize Perth, which was then in the possession of an English garrison under the Earl of Pembroke. In this scheme Bruce was assisted by his brother

Edward, Lennox, Atholl, David of Inchmartin, and many other of the nobles. Bruce sent a herald to challenge Pembroke to battle in the open field. Pembroke replied that he would do so on the morrow. Bruce, apparently satisfied with this answer, drew off his forces to the wood of Methven, six miles distant, where he proposed to remain for the night, but evidently took no precautions against surprise. Pembroke, it would appear, hearing of the whereabouts of the Scottish troops, drew out his forces from Perth at the close of the day, and completely surprised Bruce's followers, who were unprepared to resist with any effect. In the course of the skirmish Bruce was three times unhorsed, and was so nearly taken that the captor, Sir Phillip Mowbray, called out that he had taken the King, when Sir Christopher Seton felled him to the earth. Bruce was defeated, and he and his followers, numbering 500, retreated to the fastnesses of Atholl. It has been said that in this engagement Bruce committed several blunders. He made no provision against an immediate attack by Pembroke, and his quarters for the night were too near so vigilant a commander as Pembroke was; and he neglected the precautionary step of having guards, patrols, and outposts so arranged as to give instant notice of the enemy's approach. The death of Edward I. in July, 1307, inspired Bruce with new life, as Edward's son and successor was a weak man compared with his father. Four years after this Bruce considered the time had come for laying siege to Perth again, the town being still in the hands of the English.

In 1308 there was a complaint by the burgesses

of Perth that the Chamberlain of Scotland had deprived them of a rent belonging to the Bridge of Tay, and leased it to William Romaine; that they have not been repaid the costs of a "peille" and fosse which the late Chamberlain ordered them to make when Robert Bruce broke the peace; and that when he was crowned at Scone he put their bailiffs in prison and made them pay £54 of the King's rents for Whitsunday on pain of death, wherefor the Chamberlain levied £142 from their Commune. This would seem to mean that the Chamberlain took the rent of the Perth Bridge and leased it, the burgesses being due the expense of the fortifications made against Bruce; that Bruce compelled them to pay him £54, and the Chamberlain levied £142 on them in consequence.<sup>1</sup> The following year Edmund of Hastings wrote to the King requesting a letter to the Chamberlain of Scotland to pay the garrison of Perth for the time of Aymer de Valence and Sir John de Bretagne, and that he himself, as warden of the garrison, should have full power over the town as he had in Sir Aymer's time: "there are 34 men-at-arms, 60 cross bowmen, and 80 archers in the town, and their pay is more than 20 weeks in arrear. Begs that no judge but an Englishman be appointed over the garrison, as it would be too much for them to be tried by Scotsmen during the war."<sup>2</sup>

The town of Perth at this period was in a lamentable condition. It was occupied by an English garrison consisting, as already stated, of 174 men. The inhabitants were quite unable to expel the garrison, and quietly and meekly submitted

<sup>1</sup> Kal. Doc. Scot.<sup>2</sup> State Paper Office.

to its rule, and, for anything we know, had these men billeted upon them. Stirring events, however, were to occur in the immediate future now that Robert Bruce had arrived on the scene. The first thing that happened was a scarcity of food stuffs, for the inhabitants could not be expected to lay in stores that would support themselves and an English garrison during a prolonged siege. We therefore find that on 30th October, 1308, a warrant was granted by the English King to the Bishop of Chichester, the Chancellor, to issue letters commanding the bailiffs of Yarmouth instantly to deliver to Sir John Maramaduke the provisions, armour, etc., belonging to Sir John and the burgesses of Perth, lately arrested in a vessel bound for Perth, some of which had been removed, and to assist her to join the fleet bound for Scotland, without loss of time. In the following year Sir Henry Beaumont was required to account for his fee of 3000 merks to himself and the garrison of sixty men-at-arms at Perth by the hands of Lady Isobel Vessey, his sister, and others. Sir Roger Mowbray was also to account for his fee of 300 merks while in garrison at Perth with Sir Henry Beaumont. It is recorded that the King in 1312 commanded the collector of customs on wool and hides in Perth to pay the whole of these to William de Oliphant, Governor of the town, in satisfaction of the King's debt to him. The King also ordained the Sheriff of Lincoln to complete without delay certain stores bought by the late sheriff, but not yet sent to Scotland, viz., 200 quarters of wheat, 200 quarters of malt, 200 quarters of beans and

peas, and 20 quarters of salt to the town of St. John of Perth.

#### FOURTH SIEGE OF PERTH.

One of the greatest events in our local history is what is known as the fourth siege of Perth. This brilliant military achievement was undertaken and carried out by Robert Bruce in the winter months of 1311-12. The English garrison was commanded by William Oliphant of Gask, and Malise, Earl of Strathearn. Bruce felt that so long as an English garrison held his capital, it was a reproach to his courage and gallantry. He therefore resolved to attack Perth with his full strength, expel the garrison, and restore his countrymen to power. It was then a place of great strength, fortified by a strong wall having stone towers, and surrounded by a broad, deep moat full of water. According to some authorities, it could hardly have been reduced by open force. Bruce's troops lay several weeks before the town, maturing their plans. His first move was to demand immediate surrender on his own terms, which were promptly refused. Owing to the strength of the fortifications, the town defied all Bruce's efforts to reduce it. Edward, hearing of this movement, ordered a fleet to sail to the Tay with troops for the help of the garrison. When these arrived, Bruce did not see his way to hazard a battle, and resolved to retire temporarily to the wood of Methven. Another writer states that his retirement was caused by fever breaking out among his troops, but this is not confirmed. Bruce resolved on a stratagem to effect his object. He shortly after returned to the siege, having provided his troops with



scaling ladders, and having learned at the same time that the ditch was fordable in one place, of which he had taken accurate notice. Marching under cover of night, he approached the walls, undiscovered by the garrison, who seem to have been entirely off their guard. Favoured by the darkness of the night, he forded the ditch without being perceived, the water of which reached to his throat, himself carrying one of the ladders. He is said to have been the first person to enter the ditch, and the second to mount the walls after the ladders were applied. His troops followed him, having swam across, each soldier carrying a ladder. They scaled the walls, and were able to enter the town fully armed and without opposition. There chanced to be a French knight at this time serving with Bruce, who, on seeing the gallantry with which he passed the ditch, expressed his admiration in strong terms, and following suit, shared in the danger and glory of the enterprise. The town was taken, plundered, and partially burned. As the garrison made no resistance, Bruce gave orders to spare the lives of all who laid down their arms. The commanders of the garrison were made prisoners. Malise, Earl of Strathearn, is said to have been made captive by his own son, who served under Bruce; but he afterwards swore fealty to Bruce, and got back his estates. Bruce gave orders to dismantle the fortifications by throwing down the walls and filling up the ditch.<sup>1</sup>

In the castle and in the stores of the merchants was found a supply of those things which the captors wanted most for the relief of their own necessities.

<sup>1</sup> Kerr, *History of Scotland*.

The slaughter of the vanquished was humanely stayed as resistance ceased. Every Scotsman who had joined the English garrison was put to the sword. Though Bruce vanquished the English garrison and restored Perth to its independence, the efforts of Edward to subjugate the kingdom continued to be carried on with unabated energy. Bruce heroically struggled against Edward until in 1314 both fought it out at Bannockburn, when the independence of Scotland was secured and the English driven out of the country. This gave Bruce a period of uninterrupted peace. For some time before the advent of Bruce there was nothing but anarchy, but it is a singular fact that at this siege of Perth the son of Malise, Earl of Strathearn, should have fought in the ranks of Bruce, while his father and Oliphant, seeing all was lost, were compelled to surrender. What led these two Perthshire men to go over to the enemy was probably the disorganised condition of the country. Perth was sorely tried in these times; the town was small, and the population limited. The spirits of the people, however, were greatly revived when Robert Bruce on that memorable occasion led his undisciplined forces to victory. That was a night to be remembered in the annals of Perth. The scaling of the walls, the sudden and unexpected arrival of Bruce and his gallant supporters in the heart of the town at midnight, completely overwhelmed the garrison, who eventually became an easy prey to the invaders. It reminds us, in a smaller way, of Cyrus and the capture of Babylon.

Tytler's account of this siege is brief: "On his return, Bruce determined to besiege Perth, and sat

down before it, but owing to the strength of the fortifications it defied for six weeks all the efforts of his army. It had been entrusted to the command of William Oliphant, to whom Edward, in alarm for so important a post, had promised to send speedy assistance; but a stratagem of the King's, well planned and daringly executed, gave Perth into the hands of the Scots before such help arrived. The care of Edward had made Perth a place of great strength. It was fortified by a high wall, defended at intervals by stone towers, and surrounded by a broad, deep moat full of water. Bruce having carefully observed the place where the moat was shallowest, provided scaling ladders, struck his tents, and raised the siege. He then marched to a considerable distance, and having cheated the garrison into insecurity by an absence of eight days, he suddenly returned during the night and reached the walls undiscovered by the enemy. Bruce in person led his soldiers across the moat, bearing a ladder in his hand and armed at all points. The water reached his throat, but he felt his way with his spear, waded through in safety, and was the second person who fixed his ladder and mounted the wall."

It is recorded that about 1315 Beatrix of Perth, hostage of the town of St. John to the King, beseeched him to take pity on her, she having lost her husband and all her worldly goods for his allegiance, and being an exile from Scotland for fear of her enemies. She complained that of the £124 lent by her to Edmund of Hastings, warden of Berwick, and Sir John Maramaduke, £20 whereof they had been ordained to pay her at the last

Parliament at York, she had received nothing. (There is no date to this ancient document, and its endorsement is illegible.) From the same period there is a warrant of the Treasury to pay Beatrix, widow of John of Perth, £10 granted in relief of her condition by the King's gift; and on 25th August, 1316, there is another warrant for 10 merks to Beatrix of Perth.

Shortly after this siege Bruce called a convention of the nobles, and demanded by what title they held their estates. Each drew his sword and exclaimed: "We carry our titles in our right hand." This reply silenced the King. These men resented his conduct, and secretly formed a conspiracy against him. The leaders were David of Brechin, the King's nephew, Lord Soulis, Governor of Berwick, and several others. The plot was discovered, and a meeting of what was afterwards called the Black Parliament was held at Scone in August, 1320, when these conspirators were ordered to be executed. Sir John Logie, Sir Gilbert Malherb, and Richard Brown, son of Sir John Brown, were drawn at the tails of horses through the streets of Perth to the place of execution, probably the Burghmuir, where they were hanged. Whether Brechin got off is not clear, but it is recorded that Lord Soulis and the Countess of Strathearn were condemned to perpetual imprisonment in connection with this conspiracy: a mysterious proceeding, seeing that Soulis turned King's evidence and disclosed the plot.

In July, 1321, a provincial Council was held at Perth. The Scottish Parliament was then sitting at the same place. The subject debated was the exclusion of women from the succession to lands

by the ancient law of Scotland. The next provincial Council was held in Scone in 1324. In the Parliament held at Cambuskenneth on 15th July, 1326, when Bruce claimed money to meet the expenses of war, the tenth penny of all rents according to the Act of Alexander III. was granted by the earls and barons. In 1330 curious references to a lion appear in the public accounts, which seems to have been a pet of the warrior King. Its food for the year cost £6 13s. 4d. The costumars of Perth paid for the hire of a house for it, and for wages to its keeper, and a cage for it which cost 23s. of money of the time.<sup>1</sup>

King Robert Bruce died at Cardross in 1329. His son, who became David II., was only five years old. Under the Act for the Settlement of the Crown, Randolph became Regent, but he died in 1332. The Scottish Parliament assembled at Perth, 2nd August, 1332, to elect a Regent to succeed Randolph, when Donald, Earl of Mar, nephew of the late King, was appointed. Mar was not qualified for the post. A curious entry appears in the Exchequer Rolls of this period. When King David was crowned at Scone in 1331 the expenses were considerable, and the burgesses of Perth contributed towards the banquet, swine, a boar, and five dozen lampreys, while the Bishop of St. Andrews sent 6000 eels! According to a recent historian,<sup>2</sup> this coronation was attended by ceremonies giving it a peculiar lustre. The anointing of the King for the first time in Scottish history was performed on this occasion by the Bishop of St. Andrews under a special bull from the Court of Rome. In the eye of this Church, it

<sup>1</sup> Exchequer Rolls.      <sup>2</sup> Hill Burton.



conferred on the King's title a sacredness which no right of succession or civil ceremony could impart. This ceremony was regarded as of great importance. The Bishop's remarkable contribution to the banquet indicates that festivities on a large scale must have taken place on the occasion, but we have no record of any details.

The memorable battle of Dupplin was fought in 1332 between the troops of Edward Baliol and the Scottish forces under the Earl of Mar, Regent under David II. This battle will always remain a mystery, for it is recorded that the Scottish troops were surprised while in a state of intoxication, and the whole army almost annihilated by the English. Baliol, whose strength has been estimated at 2,500, encamped at the Miller's Acre, near Forteviot, with the Earn in front; Mar, with 30,000, was encamped on the opposite side of the river; while the Earl of March, with 20,000 men, was encamped at Auchterarder. These numbers we have no means of verifying. No situation, the historian Hailes says, could be more perilous than that of Baliol. Within view of an army greatly superior to his own, and with the prospect of March following up the rear, he took the desperate resolution of crossing the river and attacking the Regent at midnight. The Regent's forces had abandoned themselves to intemperance, and Mowbray, the English commander, coming unperceived upon them, made a great slaughter. In a moment all was confusion, and while those behind still pressed on, the foremost were thrown down and trodden under foot and suffocated. One writer says, on examining the field, it was found that multitudes had perished without stroke of

weapon, overridden by their own cavalry, suffocated by the pressure and weight of their armour, and trodden under foot by the fury with which the rear ranks had pressed on the front. Among the slain were the Regent Mar; young Randolph, Earl of Moray; and Murdoch, Earl of Menteith. There seems to have been no generalship on either side. Baliol was a weak man, and nothing but the reason stated could explain his victory. It has been said that Mar refused to fight against Baliol, but this statement we think is incorrect. Next day, August 12, Baliol, without opposition, took possession of Perth. The remaining inhabitants were evidently paralysed by the wholesale slaughter of the previous day. It is of some importance to get the English King's version of this unfortunate engagement :—

After the battle of Dupplin, on 11th August, 1332, Edward Baliol and his men consulted together, and considering that the relatives of those Scots slain at Dupplin would avenge them, Baliol resolved to seek some town, by fortifying which they might rest more safely; and immediately they passed to the town of St. John, took it, and fortified the broken walls with stakes and boards. This fact being discovered, those who had escaped from the battle, having reunited and joined with their countrymen, besieged and beset the town, expecting the arrival of a certain John Crow of Berwick to assist them. The besieged directed chosen horsemen and some archers towards Meffen (Methven) to plunder; nor did they willingly cease for fear of the besiegers until they carried off a large booty. Likewise also they opened the course of the water running in the ditches of the town, which course had been stopped up from the enemy. Meanwhile the said John Crow, a very cruel pirate, preparing a fleet at Berwick, at the head of a thousand armed men, besides sailors, set sail, intending to besiege the occupants of St.

John's town; and he met the ships of the conquerors (the English), where they had landed, near Kinghorn, and set out to sea almost empty of mariners except 200. They considering that they were not able to meet so great a multitude, praying the divine assistance, and setting aside fear, with spread sails turned toward sea, they were compelled to take flight; which being heard, those who beset St. John's town raised the siege and retired.

The Scots being dispersed, as stated, the conquerors committed St. John's town to the Earl of Fife, lately come to their peace, and swearing fealty to the same, and turning aside to Scone, certain Scottish nobles, bishops, and abbots with provincials who had submitted themselves, being summoned, the Bishop of Dunkeld crowned Edward Baliol with the regal diadem; where there happened what has rarely happened in such a solemnity, for all those who were present stood armed except their helmets. The necessity excused them, because the people and nobles turned to them from fear rather than affection, and thus it became him who had conquered the kingdom of Scotland with the strong hand of force to be crowned by armed men.<sup>1</sup>

On the 24th September Baliol was crowned at Scone, after which he retired to the south of Scotland, leaving his military commander, the Earl of Fife, in possession of Perth. A fortnight after his departure the town was again surprised, and the Earl of Fife and his family taken prisoners. The English historians say he betrayed the town, an exceedingly likely circumstance. This siege was conducted by the successors of those who fell at Dupplin, and shows that that disaster had not crushed the military spirit and courage of the people. It lasted three months, and was persistently fought out by the English garrison.

<sup>1</sup> Chronicles of Edward I. and Edward II.

This was the fifth siege of Perth. It is reported that King David, a youth of ten years of age, and his young wife fled to France, where King Philip received them honourably. In the following year the battle of Halidon Hill took place, when it is believed several thousands of the Scots were slain because of their determination not to recognise Baliol as king. For Scotland and for Perth this was a very critical period. The disasters of Dupplin and Halidon Hill, whatever may have been the number killed, were enough to paralyse the nation, but the spirit of the people evidently was not to be crushed. In 1334 Baliol was at last acknowledged King by the Scottish Parliament, but this was not to last. Though Perth had been wrested from the English in 1332, Edward was determined to have it restored; and in 1335 it is recorded that he attacked and took possession of it, and greatly fortified it, so as to defend it against the Scots; and as a proof of the tyranny of Edward, he compelled the abbacies of St. Andrews, Dunfermline, Lindores, Balmerino, Coupar, and Aberbrothock to pay the cost of these elaborate additions to the fortifications, and he placed a garrison in it under Sir Thomas Oughtred. This was the sixth siege; but again we have no details recorded. The new fortifications included three towers and three gates; there was a tower over each gate. Edward resided here for a short period, and eventually a treaty was concluded between parties. In the matter of the treaty, it is recorded<sup>1</sup> that Alexander and Geoffrey Mowbray and others, having full powers from the Earl of Atholl and Robert

<sup>1</sup> Hailes.

the Steward of Scotland, concluded a treaty with Edward III. at Perth, 18th August, 1335. By this treaty it was provided that Atholl and the other barons and people of Scotland in submitting to the English King should receive pardon and have their lands secured. The liberties of the Scottish Church were to be preserved, and the laws and ancient usages of Scotland in the days of Alexander were to continue in force, and all offices to be held by natives of that kingdom. This was called the Treaty of Perth. Edward granted a special pardon to Atholl, restored him to his English estates, and appointed him Lieutenant of Scotland. Murray of Tullibardine was tried for treachery and executed at Perth. In the correspondence of this period we find a dispatch of great importance, written at Perth by Edward III., and addressed to the King of France. This letter, written at such a remote period, does the English King great credit :—

Very dear lord and kinsman, we have received at St. John's town in Scotland on 20th August [1335] your letters narrating that by authority of the Supreme Pontiff you have undertaken as captain [or to lead] a passage to the Holy Land in which you desire our company and you are willing most freely to put away all disputes which can hinder the said holy journey, also how the envoys of [King] David and the inhabitants of the Kingdom of Scotland have petitioned you and do earnestly beseech and request you that by reason of the leagues made by Charles King of France your predecessor and our uncle, with the predecessor and father of King David and also with the community and people of the Kingdom of Scotland, you should be willing to aid them in terms of the treaty which you cannot refuse on account of your honour. Therefore you have promised aid and relief



to them. Likewise [your letters say] you for putting down all dissensions which can hinder the said passage and for the sake of peace and concord have caused your great council to confide to us this way, namely, that the Holy Father and you may be able to take order upon the said discords and you have besought us that we also would deign to consent to that plan. Very dear nephew and lord, as to the first point, may it please you to know that by immense labour and unmeasured pains, we have established a peace between us and the inhabitants of Scotland, which, God willing, shall be so observed that the journey to the Holy Land will in no wise be hindered because of dissensions between the kingdoms. As to the second point, namely, that you had promised aid to [King] David and the people of Scotland on account of treaties, it appears to us that, having regard to the ancient ties between the Kings of England and of France through affinity and nearness of blood and also because of our homage paid to you, you are bound to aid us more than others who are strangers and distant from you. Also, beloved nephew, as to the third point, that we ought to consent that the Holy Father and you may take order upon the said disputes and injuries, may it please you to know that, blessed be the Highest, the discords are pacified as is above stated, and they touch our crown and specially the rights of our kingdom which we are neither willing nor able to submit to the ordering or decree of any one, because the nobles and community of our realm, by the statutes and laws used of old, would not consent to it. Very dear nephew and lord, in all things touching yourself we shall always be ready to do you reason, as we ought.—Given under our Privy Seal at St. John's town in Scotland, 22nd day of August [1335].<sup>1</sup>

On 12th September of this year a highly important paper was executed at Perth. It was an indenture between Edward Baliol and John of the Isles, whereby

<sup>1</sup> Chronicles of Edward I. and Edward II.

by the former granted the latter for his good service, the island of Islay, the lands of Kintyre, Knapdale, Gigha, and the half of Jura, Mull, Skye, Lewis, and Ardnamurchan, to be held by John and his heirs. The latter were to be liegemen to the King of Scots and harass his enemies continually when able. "And in security he has made his oath on the Holy Eucharist, chalice of the altar, and missal, and shall deliver if required as hostages his next cousin in minority, having as yet no lawful son and heir of his body. When he has such an heir, the King of Scots will be his godfather."<sup>1</sup> In September, 1336, King Edward of England was in St. John's Church, standing before the altar, when his brother John, Earl of Cornwall, a youth of twenty-one, arrived on the scene. The conduct of this youth exasperated the people, for he had burned churches and wasted the country with fire and sword while the King was at peace with the people. The King remonstrated with him for his cruelties, and getting a haughty answer, stabbed him mortally with his dagger.

In 1335 there was a destructive visit of the plague, and Perth suffered severely, as did many other towns. One-third of the inhabitants are said to have died of it. Coming so soon after the unfortunate disasters of Dupplin and Halidon Hill, where so many of the inhabitants of Perth were slain, it was a double calamity on the people. Between 1512 and 1645 the plague unfortunately visited Perth four times, viz., 1512, 1585-7, 1608, 1645. It would appear from the statistical account that no less than 3,000 of the inhabitants died from the effects of it, besides many who died afterwards when its violence had

<sup>1</sup> Kal. Doc. Scot.

subsided. This seems a very large proportion, when we consider that the population at that period was probably 6,000 or 7,000. We are not informed what period this 3,000 covers, but we believe it covered the whole four visits of the scourge. Many houses were shut up, and many went to ruin, while unaffected houses are said to have been inhabited by few. Some streets are stated to have been entirely destitute of population, and a cloud was thrown over the town, which took some years to remove; the inhabitants, being few in number, had no courage to carry on business. We are told from another source<sup>1</sup> that the deaths from September, 1584, to August, 1585, the worst year of the plague, were no less than 1,427, but the writer quotes no authority.

On August 4, 1338, an agreement was entered into between Edward, Duke of Cornwall, Guardian of England, and Sir Thomas Oughtred, the English Governor of Perth, whereby the latter undertook to hold the town of Perth from that date till Easter, with 100 men-at-arms in the King's pay, besides 120 hobelars, half mounted and half on foot; also a well-found ship or barge at the King's cost, and vessels from Berwick, to transfer his men and horses to Perth, the King also providing all the munitions of war and provisions for the garrison, and keeping up the walls and ditches.<sup>2</sup>

#### SEVENTH SIEGE OF PERTH.

Robert, the Steward of Scotland, was appointed Regent, and he began his administration in 1338 by preparing for the siege of Perth. Perth had been

<sup>1</sup> Mercer's Notes.

<sup>2</sup> Kal. Doc. Scot.

the headquarters in Scotland of the English army for some time. As Baliol had chosen it for his usual residence, it was the seat of Government and a place of importance. There were, it is said, great obstacles to be overcome before the Scots could have any hope of winning a fortress which had every defence of art, and which, from its vicinity to the sea, maintained a constant intercourse with England. The town was vigorously besieged by the Scots under the Regent. The English garrison defended themselves for four months, and as the Scots were about to retire they were reinforced by Douglas, Lord of Liddesdale, who arrived with five ships and men and provisions from France. For another month the siege was renewed with vigour. Douglas was severely wounded as he was scaling the walls. The Earl of Ross eventually drained away the water of the moat, which enabled the assailants to get near and drive the garrison from their works with the arrows and darts thrown from their engines. Sir Thomas Oughtred, seeing all hope was gone, surrendered on condition that the lives of the garrison would be spared, which was agreed to. This incident is very concisely put by Balfour:—"The Regent, Robert Stewart; William, Earl of Ross; Patrick, Earl of March; Maurice de Murray, Lord of Clydesdale; and William Keith, of Galston, take the town of Perth from the English and shortly lose it again."

One of the conditions of surrender was that Sir John Logie's son should be restored to his father's lands; and King David in consequence reconveyed Strathgartney to John Logie in 1344. The King had for his second wife Margaret of Logie, aunt of

Annabella Drummond, Queen of Robert III. This Lady Margaret Logie conveyed Stobhall, Cargill, and Kinloch to her nephew, Malcolm Drummond. These estates were really obtained by gift from Queen Margaret, and have been in the possession of the Drummond family ever since.

After the surrender, a petition by Sir Thomas Oughtred was presented to the King and Council, showing that by the agreement between the Duke of Cornwall and himself he undertook the charge of the town of St. John of Perth, and was to have for the garrison 3,500 quarters of wheat, 3,000 quarters of malt, 500 quarters of beans and peas, 1,500 quarters of oats, 48 tuns wine, 40 waughts of salt; but had got no part of these victuals save 300 quarters of wheat and malt, and 40 quarters beans from the county of Lincoln. The Chamberlain at Berwick failed to find shipping for his horses and people to Perth, and he had to find them himself, and pay £50 for freight of his own money, besides £20 to fit out the galley. He therefore begs to be relieved of his command as the conditions have not been kept, nor the wages of the master and forty men of the galley paid.<sup>1</sup> This petition was disposed of with Spartan brevity: the Council promised to do what he asked, and requested him to hold his post until supplies reached him.

In 1340 Sir Thomas Oughtred was successful in getting his military stores, as there was issued on 1st May a warrant on the Exchequer for payment to him of the balance of his expenses for his garrison, wages, provisions, and galley, and a barge of war and their crews, up to 16th August, 1339, in all £1156.

<sup>1</sup> Kal. Doc. Scot.



In October, 1346, took place the battle of Neville's Cross in the north of England between King David, who, now twenty-two years of age, had taken upon himself the administration of the kingdom, and the English troops under Edward. David was totally defeated, wounded, and taken prisoner, and many of the Scots nobility slain. He was put in the Tower of London and kept there eleven years. His Consort, Queen Johanna, obtained liberty to visit him after he had been in captivity two years. At this date there is a brief entry on the record without details, viz., that the Earl of Ross this year caused to be murdered Reginald, Lord of the Isles, near the priory of Elcho.

In 1356 an important Parliament was held at Perth, when ambassadors were appointed to treat with the English for the liberation of the King, and they eventually succeeded. At a Parliament held at Scone, 1363, the King, who was now released, explained the conditions of peace agreed with Edward. He proposed in the event of his death that a son of the King of England should fill the Scottish Throne. If this was agreed to, the King of England would not again disturb Scotland, and the ransom which pressed so heavily upon them would be discharged. Parliament, notwithstanding its poverty and its inability to pay the ransom, stood aghast at this proposal, and responded: "We never will allow an Englishman to reign over us." In the same year a Conference was held at Perth between David and the English King, when twenty-eight articles were formulated and agreed to between them. Two of these were: The King after having been crowned King of England to come regularly to

Scotland and to be crowned at Scone in the Royal chair, which is to be delivered up by the English ; every Parliament concerning Scotland to be held either at Scone or some other place within the kingdom.

A Parliament was held at Perth, 13th January, 1364, to report on the proposed treaty between the two countries. To extricate the country from its difficulties they resolved to restore certain disinherited lords to their estates, and to give the youngest son of the King of England certain lands in Galloway which belonged to Baliol. If these conditions were not accepted by England, the heavy ransom agreed to by the King was to be paid, provided time was given to do so. The lords and barons agreed to ratify any treaty come to by the plenipotentiaries and the King of England. At this Parliament the members took an oath that they would put down any person who should infringe the resolutions they had come to, such person to be declared a rebel and be compelled to observe the agreement. There were present Walter, the High Steward ; Sir John, Lord Kyle, afterwards Robert III.; the Earl of Ross ; and Keith, Earl Marischal. Another Parliament was held at Perth the following year confirming these conditions of peace with England. This took place in the Dominican Monastery in presence of the King, when the result of the conferences between the Scotch and English commissioners regarding peace were anxiously debated. There were present the bishops of St. Andrews, Dunkeld, Moray, Brechin, Whithorn ; the Steward of Scotland ; the Earls of Dunbar, Moray, and Douglas ; and Keith, Earl Marischal, etc. Edward insisted that Scotland, in

the event of England being invaded, should assist him with forty men at arms, and sixty archers to serve in and be paid by England. The invasion, however, never took place. He ordered the Castles of Edinburgh, Perth, and Stirling to be fortified, which would indicate that the Castle of Perth was not entirely demolished by the flood of 1210.

At a Parliament held at Perth, March, 1368, the three estates on account of the inconvenience of the season and the dearness of provisions elected certain persons to convene Parliament, who were divided into two bodies: one to treat of the general affairs of the kingdom; the other to sit on appeals from the inferior courts. And in the following Parliament held at Perth, 18th February, 1369, such committees were appointed: the first on appeals, pleas and complaints; the second to treat and deliberate on secret and special affairs of the kingdom, previous to their being brought before Parliament. These committees consisted of six clergy, fourteen barons and seven burgesses. In these arrangements we perceive the origin both of the Committee of Articles and of the establishment of a Supreme Court of Justice.

On March 18, 1370, the King, on the complaint of John Mercer and other Scottish merchants, ordered the Collectors of Customs at St. Botolph and the Bailiff of Waynflete to receive their wool, hides, etc., shipped in Scotland for Flanders in the *Magdeleyn*, which had been wrecked off Waynflete, and had duly paid custom as attested by letters under the seal of David Bruce of Scotland.<sup>1</sup>

On March 2, 1371, Parliament met at Scone

<sup>1</sup> Kal. Doc. Scot.

under Robert II. Sheriffs and other judges were prohibited from asking or receiving presents from litigants of any part of the sums or matter in dispute. Acts were passed relating to the punishment of murder. Masterful beggars were ordered to be arrested, and in case of resistance, to be slain on the spot. We do not, however, possess any evidence that, as regards the beggars, this Act was put in force.

In 1373 there was established a Royal Mint at Perth for manufacturing the coinage, as well as one at Edinburgh, Thomas Strathearn being *custos monete*, Master of the Mint. The chamberlain's account for 1373 shows that the King's seignorage at Perth was £174 13s. 8d. as against Edinburgh £28 5s. 4d.<sup>1</sup> This important announcement is without detail in the official papers, and we are at a loss to know where in the ancient town of Perth this mint was situated, nor have we any date when it was removed to Edinburgh. The seignorage of the King was an ancient prerogative of the Crown, whereby it claimed a percentage on every ingot of gold and silver brought to the mint to be coined.

On October 18, 1377, the King of England, Richard II., commanded his clerk, Richard of Ravensor, to deliver John Mercer of Perth and his son, lately made prisoners, and then at Grimsby, to Henry Percy, Earl of Northumberland, for safe custody. On 24th November following, the King in a letter to Henry, Earl of Northumberland, signified that the cost of bringing John Mercer and his son and their servants from Grimsby to London was to be defrayed out of the Scottish goods captured at Grimsby

<sup>1</sup> Exchequer Rolls.

and at Hull, the same to be delivered to the Earl by indenture (agreement) with the merchants, mariners, and others in the vessels. A few days thereafter, viz., on 1st December, there was granted a safe conduct for Sir Patrick Graeme, knight, and John Mercer of St. Johnstoun, to come before the Council and return, till 1st May, on the affairs of the kingdom. The same not to prejudice the re-entrance of John Mercer to the Castle of Alnwick at Pentecost next, nor the obligations by the Earl of Douglas, and other magnates of Scotland, for the said John Mercer. Pirates on the high seas in these days were very common, and no man was more harassed by them than John Mercer, whose ships were constantly going and returning from Perth to Flanders.<sup>1</sup>

Robert II., after the fashion of his age, prepared his tombstone during his lifetime. It was brought by sea from England, was carved possibly at Edinburgh by the King's mason, one Nicholas Haen, was further embellished by Andrew, the painter, and finally carried from Holyrood to Leith, thence to Perth, and deposited in the Church of St. John till required. Robert II. died in 1390. There is an entry of £6 13s. 4d. as payment for one stone from the church of St. John for the tomb of Robert II., and further the small sum of four shillings for petty expenses in carrying the said stone to Scone. The funeral of the King was an expensive one, costing £682.

<sup>1</sup> Kal. Doc. Scot.

<sup>2</sup> Exchequer Rolls.



## CHAPTER IX

### THE MERCER FAMILY

AT a very early period, and during the middle ages, the Mercer family were identified with Perth, its civic government, and its commercial and general prosperity. Their origin it is impossible to trace accurately, but it probably goes back to the Norman Conquest. The earliest mention is in the Register of the Privy Council, which says :—" John Mercer is said to have gifted to Malcolm Canmore his three water mills at Perth (afterwards assigned to the town by Robert III.), in return for which the Mercers obtained right to a burial vault in St. John's Church." This seems a most important entry, and evidently quite authentic. Malcolm Canmore reigned from 1046 to 1102.

The most ancient, and unquestionably the most interesting family connected with the history of Perth is that of the Mercers. A consecutive narrative, we believe, is not to be got, but a narrative of some importance is that entitled, "The Seven Centuries," printed for private circulation many years ago by the late Mr. Græme Mercer, of Gorthy. This volume gives a brief history of the family, extending over seven centuries. The Mercers, who took an active part in the social and political life of Perth, generation after generation, were men of great individuality, great mercantile

experience and integrity, and conspicuous for their devotion to the general prosperity and development of the Ancient Capital. Their connection with the town has, without exception, been an influence for good, and their honourable name can never be dissociated from it. The Perth water or city mills just referred to are designated in our earliest records the King's Mills, until Robert III. assigned them by charter as part of the property of the town. Water mills at that period were very rare and valuable, and belonged only to wealthy persons. These mills, which still exist, were kept going by the water of the aqueduct from the Almond, and, curiously enough, are still kept going by that same channel. How John Mercer came to be owner of these mills we have no means of knowing. He is the first Mercer of whom we have any record. The next mention of the family is in 1162, when John Mercer acquired the lands of Meikleour from Maurice Drummond, another very old Perthshire family. This transaction is represented by a charter called the Meikleour Charter, and was granted in the reign of Malcolm IV. The antiquity of it gives it great value. It has an important bearing on the history of Perth, as it appears to be the most ancient charter that we possess. It is also important as an evidence of Perth as a commercial town at that early period. Three water mills indicate a considerable business which Mercer carried on when he owned so large a property. He gifted these to Malcolm Canmore in exchange for the right of burial in St. John's Church, a great privilege at that period, when we consider it was obtained at such a cost. We have

only a fragmentary record of Perth and its general administration at that period.<sup>1</sup> Civilisation then became more advanced and widespread. To help in its further advancement Malcolm's queen, a woman of great piety and intelligence, founded Dunfermline Abbey. Dunfermline thereafter became a favourite seat of royalty and joint residence of the Court, and doubtless a seat of learning. Its staff of monks was numerous, and Queen Margaret's influence for the time paramount. Hitherto, writers of local history have practically ignored what is known as the Meikleour Charter, and in any references to it have conveyed altogether an erroneous impression. The charter is in the possession of the Marquis of Lansdowne, the representative of the Mercer family.

By his Lordship's permission, a copy of this important document is here published for the first time. For the benefit of those who are unacquainted with the language of these ancient charters, the numerous contracted words are here given in full, and the punctuation supplied. The accompanying translation has been specially made for this work:—

*Extended Transcript.*

Omnibus hanc cartam visuris vel audituris Mauricius de Dromond salutem in Domino sempiternam. Sciatis me concessisse, vendidisse, et hac presenti carta mea confirmasse Johanni Mercer,

<sup>1</sup> It was the custom in these early times for the nobility and wealthy classes to keep a large supply of grain in the hands of the miller at their water mills and to pass an order upon him to deliver it ground as they required. To store such a large quantity of grain would necessarily involve premises of considerable dimensions.

burgensi de Perth, totam terram baronie de Mikilour cum pertinenciis intra Stormond intra vicecomitatum de Perth, que fuit Alani de Kynbuke et quam idem Alanus, non vi aut metu ductus nec errore lapsus, apud Perth die Jovis proximo post festum Epiphanie Domini, anno ejusdem millesimo centesimo sexagesimo primo, Domino nostro Regi per fustem et baculum sursum reddidit, pureque et simpliciter resignavit ac totum jus et rectum ac juris et recti clameum que in dicta terra habuit vel habere potuit, mera et spontanea voluntate sua pro se et heredibus suis quiete clamavit in perpetuum, et eandem terram cum pertinenciis dictus Dominus noster Rex mihi et assignatis meis dedit, concessit, et carta sua magno sigillo roborata confirmavit, tenendam et habendam eidem soli et heredibus suis ac assignatis a me et heredibus meis in feodo et hereditate, per omnes rectas metas et divisas suas, in hortis et planis, in pratis et pascuis, in moris et marresiis, in viis et semitis, in molendinis, multuris et eorum sequelis, in fabrilibus et bracinis, in aucupacionibus venationibus et piscariis, in aquis et stagnis, libere quiete plenarie integre et honorifice cum omnibus et singulis libertatibus, commoditatibus aysiamentis ac justis pertinenciis suis quibuscunque ad dictam terram baronie predictę spectantibus, seu quoquo modo juste spectare valentibus in futurum. Reddendo inde domino nostro Regi ipse Johannes et heredes sui ac assignati unum par cirotecarum albarum annuatim ad festum natalis Domini, nomine albe firme, si petatur tantum, pro wardis, releviis, maritagiis, sectis curie et omnibus aliis, omnibus que de predicta terra baronie predictę domini nostri cum pertinenciis exigi poterint vel requiri. Et ego vester fidus Mauricius et heredes mei totam predictam terram predictę baronie domini nostri cum pertinenciis predicto Johanni Mercer et

heredibus suis ac assignatis contra omnes homines et feminas warantizabimus, acquietabimus et in perpetuum defendemus. In cujus rei testimonium presenti carte mee sigillum meum apposui: his testibus, venerabili in Xo patre, domino Waltero, Dei gratia episcopo Dunblanensi, domino Roberto, senescallo Scotie comite de Strathyrn, Johanne, Dei gratia abbate de Insula missarum, domino David de Grame milite, Waltero Olifant, domino de Abyrdalgy, Willelmo de Rothwen, domino ejusdem, Waltero de Moravia, domino de Tolibardy, et multis aliis. Datum apud Perth die Mercurii proximo post festum beati Matthie Apostoli, anno ab incarnatione Xti millesimo centesimo sexagesimo secundo.

*Translation of Meikleour Charter.<sup>1</sup>*

TO ALL who may see or hear of this charter, Maurice de Drummond (wishes) everlasting salvation in the LORD.

KNOW YE that I have granted, sold, and by this my present charter have confirmed to John Mercer, burgess of Perth, the whole land of the barony of Meikleour, with its pertinents, lying within the Stormonth in the Sherifffdom of Perth, which was formerly in possession of Alan de Kinbuck, and which the said Alan, not being led thereto by force or fear nor yet in error, at Perth on the Thursday

<sup>1</sup> This is the Charter mentioned by Scott in his "Statistical Account of Perth" as having been "granted by MAURITIUS DE CROMOD (*sic*) in favour of John Mercer, burgess of Perth, of the lands of Meicklour, which lands pertained before to Allan of Cambus, and were disposed by the said Allan to the said MAURITIUS, dated anno 1106, on Wednesday in the afternoon of St. Matthew's day." It would be difficult to condense more errors as to names and dates into the space of four lines than is done here.



next after the feast of our LORD'S Epiphany, in the year of our LORD one thousand one hundred and sixty-one, did by staff and baton surrender, and did absolutely and unconditionally resign to our Lord the King, and did of his own full and free will, for himself and his heirs, renounce all law and right, and claim of law and right which he had or could have in the said land; and the said land with its pertinents our Lord the King aforesaid gave, granted and by his charter, attested by the great seal, confirmed to me and my assignees:

TO HAVE AND TO HOLD by the aforesaid, himself and his heirs and assignees, from me and my heirs in fee and heritage, through all its right meiths (boundaries) and marches, in gardens and plains, in meadows and pastures, in moors and marshes, in roads and paths, in mills, multures and their sequels, in forges and malt-kilns, in hawkings, huntings, and fishings, in waters and ponds, freely, quietly, fully, wholly and honourably, with all and sundry liberties, commodities, easements, and their right pertinents whatsoever belonging, or that can in any way rightly in future belong, to the said land of the aforesaid barony: John himself and his heirs and assignees.

PAYING THEREFOR to our Lord the King one pair of white gloves yearly, at the feast of our LORD'S NATIVITY in name of blench ferm, if asked for only, for wards, reliefs, marriages, suits of court and all other things, all that can be demanded or required from the aforesaid land of our Lord's barony aforesaid, with its pertinents.

AND I, your faithful Maurice, and my heirs will warrant, acquit, and for ever defend the whole foresaid land of our Lord's barony aforesaid, with its pertinents, for the foresaid John Mercer and his heirs and assignees against all men and women.

IN TESTIMONY whereof I have affixed my seal to my present charter.

*Witnesses :*

The Venerable Father in Christ, WALTER, by the grace of God, Bishop of Dunblane.

ROBERT, Seneschal of Scotland, Earl of Strathearn.

JOHN, by the grace of God, Abbot of Inchaffray.

DAVID de GRAME, Knight.

WALTER OLIFANT of Abyrdalgy.

WILLIAM de ROTHVEN of that ilk.

WALTER de MORAY of Tolibardy, and many others.

Given at Perth on Wednesday next after the feast of the blessed Matthias the Apostle, in the year one thousand one hundred and sixty-two from the incarnation of Christ.

The first charter connecting the Mercer family with Aldie is the following, by which John Mercer, son of Thomas Mercer, gets the ward of the lands of his brother-in-law, William Murray of Tullibardine :—

31st May, 1352.—Be it known to all men by these presents, that we John of Menteith Sheriff of Clackmannan have entirely and freely sold to John Mercer Burgess of Perth the whole right and claim which we have in the ward of the lands of Sir William Murray Lord of Tullibardine given and granted to us by William Earl of Sutherland and the lady Joan, Countess, his spouse that is to say Countess of Strathmore together with the right which we had in the annual rent of Pitfar and Aldie by Christian More spouse of the deceased Reginald More for a certain sum of money paid to us beforehand etc., etc. Given at Perth on Thursday next after the feast of Pentecost 1352.

The next charter is dated, Scone, 10th February, 1353 :—

In the year from the Incarnation of our Lord 1353 on the 10th of February at the Monastery at Scone this agreement was made between the religious men, Sir William, Abbot of the Monastery of Scone and the Convent of the same place on the one part, and John Mercer Burgess of Perth, Andrew his son, and the heirs of the said Andrew on the other part, that is to say that the said Abbot and Convent with the unanimous consent of their whole chapter have granted and let in farm to the foresaid John, Andrew his son and the heirs of the said Andrew their whole land lying in the street Sèllatorum of Perth on the east side of the same street which the deceased Thomas Mercer father of John Mercer held of them between the land of our Lord the King on the south side on the one hand, and the land which the deceased Robert Japp Burgess of Perth held of the same on the north side on the other hand, on terms as stated in the Charter. In testimony of which thing, etc., the common seal of the Charter of the said religious men is appended but to the part remaining with the foresaid religious men the seal of the foresaid John Mercer is appended.

In a note to this charter is added :—

In this document we have the name of the father Thomas, his son John and grandson, Andrew, and may conclude that Thomas was born prior to 1280. Beyond this for the want of documentary evidence the history of the family cannot be traced with any confidence. From this Thomas the families of Countess Flahault, Robert Mercer of Scots Bank, W. D. Mercer of Huntingtower and the Mercers of Gorthy can be traced in unbroken descent to the present time.

The Kincarrathie Charter is dated at Scone, 22nd April, 1358. The agreement was made between William, Abbot of the Monastery of Scone, and John Mercer, burgess of Perth :—

The said Abbot and Convent have given and granted with the unanimous assent of their chapter to the foresaid John Mercer and to his lawful heir their whole land of Kincarrathie with all its right measures and divisions commodities and easements and other pertinents belonging to the foresaid land, the mill excepted with four acres annexed to the said mill and pastures for four cows—(terms as stated in the Charter). But it shall not be lawful for the said John or his heir to set in tack the said land of Kincarrathie to any other person more powerful than himself unless with the consent of the said Abbot and Convent. And the foresaid John and his heir have themselves to give to the foresaid religious men their counsel assistance and labour as often as they shall be required. And the Lord Abbot and Convent shall warrant acquit and defend the whole land of Kincarrathie with its pertinents to the fore-mentioned John and his heir for the whole period of their life for the payment of only the fore-said farm against all men and women. In witness whereof the common seal of the said religious men is appended to the part of this indenture remaining in the hands of the foresaid John ; but the seal of the foresaid John is appended to the part remaining in the hands of the said religious men.

*Note.*—From this it may be inferred that John Mercer had other children besides Andrew : probably they were Robert, 1374 : Thomas, Archdeacon of Glasgow, 1379 : John, Master of Arts, 1382.

The following lines “on the arms of Aldie” were written at a very ancient period, but the date we have been unable to discover :—

Behind the arms of the Mercers are  
Three mill rhynds, three gold balls with glittering scar ;  
To let the world know their ancient race  
Possess'd three mills for many ages space  
In pleasant Perth near situate by Tay,  
Which mills Perth keeps unto the present day.

Three balls next show them potent in each thing,  
Therefore they gift these mills unto the King,  
Who, for their golden gift and loyal mind,  
With arched tomb in church did them provide  
With lands, rents, arms of privilege and fame,  
Kept now by Aldie's lairds, chief of the name.  
Lastly the star, clear, shining as a gem,  
Proves their descent out of Moravian stem.  
Likewise their will and virtue doth presage  
In name and fame to last with shining age,  
Therefore men may vow with justest breath  
Mercers are yea older than old Perth.

From the archives of the Perth Literary and Antiquarian Society<sup>1</sup> we find the following important reference to these lines :—

These lines have the appearance of being a translation. Perhaps they are a translation of some Latin verses either of John or of Arthur Johnston, who wrote many eulogiums or epigrams on such subjects. The last two lines where the family of Mercer is represented as "older than old Perth" allude to the story of Perth told by Boece. The three Mill Rhynds in the arms of Aldie may be reckoned among the signs in armorial bearings which are supposed to have reference to signal events. They give a probability to what is related of the gift of the three mills to the King. But this gift must have taken place at a very early period. The Mills of Perth were the King's mills in 1244, when Alexander II. speaks of them as his mills, and grants to the Blackfriars Monastery a pipe of water from his mill lade. As one of the kings is said to have granted a vault in the church for a burying-place as a compensation in part for the gift of the mills, this removes the time of the gift to a yet more remote period, viz., to the time of Malcolm Canmore, or, at least, to the time of David I., who died in 1153. David about 1140, in a Charter of Confirmation to the Abbey of Dunfermline, in which he ratifies the donations made by Malcolm Canmore and his other

<sup>1</sup> Mercer Transcript.



more immediate predecessors, either gave away for the first time, or ratified what his predecessors had done in giving away the property of the Church to the Abbey, which Abbey continued to the Reformation to be proprietors of the Church of Perth. They drew the Rectory tithes, and allowed the Vicarage tithes to a vicar who officiated at Perth. Therefore, if one of the Kings of Scotland gave the Mercer family the vault which in many old writs is called 'Adie's Burial,' or burial place, it must have been before the Church of Perth was given to the Abbey of Dunfermline; a circumstance which, while it illustrates the antiquity of the Mercer family, illustrates also the antiquity of the town of Perth.

This John Mercer was not the same as the John mentioned in the first and second charters, if the dates of these are correct. We are not even informed if he was the first to be interred in the vault of St. John's Church. The Mercer vault, of which we give a drawing, has its opening from within the Middle Church near to the north side of the north aisle, and extends northwards from under the wall. This vault is referred to further on. It is probable that John's son and successor was Thomas Mercer. The son of Thomas was John Mercer, the wealthy merchant and banker of the fourteenth century. Thomas Mercer was succeeded by his son John, who married Lady Ada Murray, daughter of Sir William Murray of Tullibardine, by whom he had a son named Andrew.<sup>1</sup> She was the granddaughter, thrice removed, of Ada, fourth daughter of David, Earl of Huntingdon, whose first husband was Henry de Hastings. Their grandson competed for the Crown with Baliol and Bruce. She married secondly Malise, brother of Gilbert, Earl of Strathearn, and founder of the abbey

<sup>1</sup> Register of the Privy Council.

of Inchaffray. In 1291, there is a Stephen Mercer, burgess of Berwick, and in 1292, a Duncan Mercer, who founded the altar of St. Nicholas, Aberdeen. In 1292, Bernard Mercer, burgess of Perth, swore fealty to Edward I., as also did Austin Mercer of Roxburgh and Walter Mercer, burgess of Montrose. There is among the Meikleour charters one granted by Robert Bruce in 1318, confirming a donation made by Malise, Earl of Strathearn, to Malcolm of Innerpeffray, of a tenement of Meikleour.

John Mercer of Perth, then probably the wealthiest trader in Scotland, may be cited as a prominent example of a distinctive feature of Scottish life in feudal times, in the absence of any broad line of social demarcation between the merchant burgess and the landowner. Engaged in trade all his life and a costumar and chief magistrate of Perth, he seems also to have been employed in a political mission to the Low Countries in 1366. In the reign of Robert II., he appears as an envoy to the Court of England. In 1376 a ship of Mercer's, in which he was returning from abroad, was wrecked on the English coast, when his merchandise was seized and himself imprisoned in Scarboro Castle. In atonement for which flagrant breach of the truce we find 2,000 merks set off against the termly payment of the ransom money in 1377. There is an interesting letter of William, Earl of Douglas, to Edward III., remonstrating against Mercer's incarceration and requesting his liberation. Mercer was liberated, says Walsingham, to the great loss of the whole kingdom, for if he had been held as a prisoner of war he would have enriched the King and kingdom with his inestimable wealth.<sup>1</sup> His son,

<sup>1</sup> Exchequer Rolls.

Andrew Mercer, in revenge for his father's imprisonment, fitted out a fleet, entered the harbour of Scarborough, and carried away several vessels then lying in the port. This caused a complaint to the Government. Admiral Philpot, an opulent citizen of London, equipped a fleet at his own expense, and set out in pursuit of Mercer. He overtook Mercer, and captured him with his whole fleet. Mercer was imprisoned, but afterwards released by the King.

In 1356 and 1374 John Mercer was Provost of Perth. He was evidently a man of great energy, judging from the documents he has left behind him. On 26th April, 1356, the procurators of the burghs and towns in Scotland assembled in Edinburgh to discuss the liberation of David II., who had been a prisoner in England since 1346. Perth was represented by John Mercer, provost, and two others. The King's ransom was 100,000 merks. The payment of this sum was too heavy for the Scottish people, and it was spread over eleven years. In the annual accounts of the chamberlain, John Mercer is regularly entered as contributing a substantial yearly sum towards its redemption.

On 23rd December, 1359, a discharge was given by Edward III. of England for a portion of King David's ransom amounting to 2,500 merks sterling paid at Bruges in Flanders by John Mercer, burgess of Perth, and Roger Hogg, burgess of Edinburgh. On 27th September, 1363, a charter was granted by David II. to John Mercer in the following terms:—

David, by the grace of God, etc., know ye that we have given etc., to John Mercer, burgess of Perth, that small portion of land near us, from that land lying in the street of the chairmakers of the burgh of

Perth, between the land of the hospital of Mary Magdalene and the bridge of Perth on the north side, and by the land of the said John Mercer on the south to be held by him and his heirs with all rights etc., making them a regular and customary debt. In testimony of which thing . . . At Perth the 27th September in the thirty-third year of our reign.

This must be the land where the old Post Office stood, as the hospital of Mary Magdalene was where the Council Chambers now are. The bridge at that period was at the foot of High Street.

On 26th June, 1364, there is a Charter of Confirmation by William, Earl of Ross, of a charter granted by Andrew Barclay of Grandtully to John Mercer for the lands of Meikle Kinnaird in Longforgan.

John Mercer witnesses a Foundation Charter of Robert, Steward of Scotland, dated Perth, 12th January, 1365. His signature is affixed after those of the knights, and immediately before John De Ross and John de Tait, esquires. This precedence was probably granted him as Member of Parliament for the town of Perth.

In 1377 he was appointed Lord Chamberlain by Robert II., but retired in a year afterwards, when Lord Glamis succeeded him. From his accounts, it appears that Andrew Mercer, his son, transacted the duties of the office jointly with him. There is an account, dated October, 1377, of John Mercer, receiver of the King's monies during the vacancy in the office of Chamberlain, of monies received and disbursed from the year 1376. The sum to be accounted for is £1,952 3s. 5d. There was paid to the English King 4,000 merks, being the annual

instalment for the ransom of the late King, David II., £1,333 6s. 8d. The remainder of the payment, viz., 2,000 merks, was deducted as compensation for the goods that were lost by shipwreck in England, which the English carried away, and thus there remains to be paid of the said ransom, after that payment, 24,000 merks.

John Mercer lived till the ripe old age of four score, and died in 1379. He was long and sincerely mourned by the inhabitants of Perth, for whom he had done so much, as a generous and benevolent citizen and a just man. He was succeeded by his son, Andrew Mercer, who, it is recorded, was married in 1378, and in the same year got a charter of the lands of Balado adjoining the estate of Aldie.

The following lines celebrate the fame of this illustrious citizen of the ancient capital:—

THE MERCER FAMILY.

When David Bruce was seized at Neville's cross  
All Scotsmen felt and mourned the common loss ;  
The States at once unanimous decree  
A royal ransom their loved prince to free.  
One hundred thousand merks of Scottish gold  
Within ten years were granted, we are told ;  
Of this the thousand merks were yearly paid,  
And carefully to London were conveyed,  
By Perth's real son, John Mercer, who was then  
Of Scotland's capital chief citizen ;  
But not to Perth alone confined his fame,  
For throughout Europe was renowned his name ;  
And numerous " Safe Conducts " can be shown  
To prove that he at Foreign Courts was known.  
He married Ada, sister of the Lord  
Of Tullibardine, who betrayed the ford  
Across the Earn at Dupplin, and thus brought  
Defeat and death on those with Mar who fought.  
Through her it seems his sons did Aldie heir,  
And thus the race that designation bear.



When the first Stuart over Scotland reigned  
The Mercer war-cry was a battle gained.  
When second Richard Englishmen did rule,  
The Scarbro' heard their slogan—"the great pool."  
Within its walls a venerable Scot  
Captured at sea endured the prisoner's lot.  
For wealth and wisdom far as the sun shone  
John Mercer's name was honourably known ;  
By kings and princes he was deemed their peer,  
And to the heart of Charles the Wise was dear.<sup>1</sup>

Robert, the Steward of Scotland, was made Baron Methven in 1370, and became King in 1371, and at that period confirmed a charter of Tullybeagles to John Mercer. John Mercer witnessed a charter to Euphame Stewart, Countess of Moray and Strathearn, confirming a grant by Robert Stewart, her husband, to Sir James Douglas, of the lands of Keillor, 1370. The other witnesses were John Stewart, Earl of Carrick, afterwards Robert III.; Robert Stewart, Lord of Menteith; Sir John Stewart, and John and Hugh de Ross, all members of the Royal Family, and showing the eminent position of John Mercer. At this period, 1370, William Mercer was Provost of Perth. There was a charter granted by Robert III. to John Mercer in 1374 of land at the bridge of the Castle Gable to the road which goes to the Stormont, near the wall of the garden of the Blackfriars. To be held and possessed by John Mercer in feu and heritage. This land must have formed what is now the south end of the North Inch. The road to the Stormont led up the centre of the North Inch.

In 1382 there is a Confirmation Charter of Robert II. to Andrew Mercer, son of John Mercer, dated at Methven, of certain lands in Aberdeenshire, and in

<sup>1</sup> Mercer's Chronicles.

1383, there is another charter by Robert II. to Andrew Mercer of forty merks sterling yearly and heritably of the customs of Perth to be held and possessed by him and his heirs "until we have procured for him forty merks of land in a suitable place." In 1384, Andrew Mercer was knighted. In 1385, Sir Andrew Mercer was a man of sufficient mark to be chosen as umpire in a dispute between Robert, Earl of Fife and Menteith, and Sir John Logie, which he decided in favour of the latter. He is supposed to have died about 1390, but we have no particulars. His son, Michael Mercer, succeeded him. Sir Michael Mercer of Meikleour (he was evidently also knighted) is named as a witness to various charters between 1420 and 1436. There was a charter to himself from Robert III. of the lands of Findlater, Pittendreich, and Balthayock. The Mercers of Aldie are a not undistinguished baronial family, now represented by the Marchioness of Lansdowne as heir of line.<sup>1</sup>

Who Sir Michael's successor was is not recorded, but we find that in 1470 and 1473 Robert Mercer was one of the magistrates of Perth and Dean of Guild. This, in all probability, was Sir Michael's successor, probably his son. In 1483 and 1486, this Robert Mercer was Provost of Perth. The provostship at that time was an annual appointment. Robert Mercer was evidently an able and influential man, as well as a popular citizen, for we notice that he was elected Provost of Perth in 1488, 1490, 1493, 1496, 1501, 1504. At this period Sir Laurence Mercer was proprietor of Meikleour. After Robert Mercer's retirement from the civic chair in 1504, there

<sup>1</sup> Exchequer Rolls.

appears to be no mention of any of the family as regards the Town Council, until 1571, when, in that and the two following years, Andrew Mercer, probably the son and successor of Robert Mercer, was among the magistrates. In 1575, 1576, and 1585 he was Dean of Guild, and in 1589 he was again a magistrate. After his death, he was evidently succeeded by his son, who was one of the magistrates of Perth in 1605-6. Gabriel Mercer was succeeded (presumably) by his son, John Mercer. This John Mercer was one of the magistrates in 1644, 1645, 1647, 1649, 1651, 1652, 1653, and 1654. This was the last of the Mercers who was a Town Councillor.

In 1581, we have recorded the death of a Laurence Mercer, probably of Meikleour. His last words were: "I leave my soui to God and my body to be buried in our burial-place at Perth, if it will not be permitted in the Kirk of Caputh or Fossoway, where I happen to die." In 1645, another Laurence Mercer was buried in the vault at Perth. Andrew Mercer of Meikleour, son of the former, succeeded to the estates and died in 1588. His last words were: "I leave my soul to God Omnipotent, and my body to be buried in the aisle and tomb therein where my fathers and predecessors were buried—in the Kirk of the burgh of Perth."

There was a John Mercer born in 1592 who was son of David Mercer, burgess of Perth. Laurence Blair of Balthayock was about this period married to Egidia Mercer. John Mercer was afterwards a burgess, and in 1612 was appointed town clerk of Perth. He married Marjory Fleming. In 1639 he purchased Potterhill from James Mercer, only son of William Mercer, who was the heir of

Andrew Mercer, son of Robert Mercer, Newton of Forgandenny. Mercer resigned the town clerkship in 1642, was several times a bailie, and in 1654 was reappointed town clerk. He died in 1675. His only surviving son, John, was his heir. This John Mercer left two sons, William and John, both of whom were burgesses of Perth. William, who died in 1728, left five daughters. John died unmarried. Of these five daughters four died without issue. The eldest married Stewart, laird of Kynnachin in Atholl. He fell at Culloden, and left one son and two daughters. The son died unmarried. The two daughters both married and left issue. The youngest married Robert Stewart of Garth, and left three sons and two daughters. The sons and one daughter were unmarried. The other married Dr. Irvine of Little Dunkeld, and died in 1865, leaving two sons, better known to us as Dr. Alexander Robertson Irvine of Blair Atholl, and Dr. W. S. Irvine of Pitlochry.

Sir James Mercer of Aldie died at Westminster in 1671, and was buried in St. John's Church, Perth, in the family vault.

At the fall of Oswego in 1756, the garrison consisted of 1400 men, commanded by Lieutenant-Colonel Mercer, an officer of great courage, and one of the Mercers of Perth. He was attacked by the French, assisted by a number of Canadians and Indians, and was instantaneously killed by a cannon ball.

Robert, son of the Baroness Nairn, fell at Culloden. He was married to Miss Mercer of Aldie, who died in 1749. Their son, who was Colonel William Mercer of Aldie and Meiklecour, married Margaret Murray,

heiress of Pitkeathly, and died at Meikleour in 1790. They left three daughters, one of whom, Jane, married George Keith Elphinstone, Viscount Keith. The barony of Keith descended to their only child Margaret, who married Count Flahault; one daughter born in 1819 was the issue of this marriage. On the death of the last Lord Nairne (only son of Caroline Oliphant, the Songstress of Scotland), this lady became Baroness Nairne in her own right. She married the fourth Marquis of Lansdowne, and the title of Baron Nairn is now merged in that noble family in the person of the present and fifth Marquis.

Transcript of a manuscript written in 1698 by the grandfather of David Mercer, and Major Mercer, Aberdeen:—

Charter I. by Maurice de Drummond 1162 (already given). Charter II. by William Earl of Ross to John Mercer of Meikle Kinnaird in Longforgan Jan. 26. 1164 (this may be 1264). Charter III. by Robert II. confirming Charter by Isobel Countess of Fife in favour of Malcolm Erskine of the lands of Tullybeagles and another Charter by him to John Mercer. Date 1358. Charter IV. by David II. to John Mercer of the lands of Meikleour. Date 1363 (confirming Charter of 1162). Charter V. by David Count Palatine of Strathmore to Andrew Mercer his cousin of the lands of Dalkeith in Strathmore. Date 1382. Count Palatine was eldest son of Robert II. Charter VI. by Robert II. ratifying one by Maurice Earl of Strathmore of a tenement in the burgh of Perth. Dated 1347. Maurice Moray was by his mother proprietor of the lands of Abercairny. He obtained the Earldom from David II. and was slain at the battle of Durham in 1346. The Morays of Abercairny are the lineal representatives of the Earls of Strathearn. Charter VII. Renunciation of Meldrum of Cleish to Sir Lawrence Mercer of Meikleour 1498. Descended by the father's side Mercer of Meikleour;



Ruthven of Gowrie: by the mother's side Lord Colville of Culross, Earls of Gowrie and Morton and Lord Methven.

*Note.*—The Charters were seen by old Mr. Mercer of Aberdeen in the Charter chest of the family of Aldie. As John Mercer is mentioned as being a burghess of Perth in 1162, it might be of use to prove the antiquity of Perth if Mr. Mercer of Aldie would at any time grant the favour to the Society<sup>1</sup> of allowing an examination of the Charters.

Evidently in 1724 the Town Council of Perth and the representatives of the Mercer family differed in opinion as to the latter's rights to a burial-place in St. John's Church. The question was one of considerable importance, and after the Council had debated it, it was agreed to refer it to Mr. Robert Craigie, Advocate, Edinburgh, one of the first lawyers in Scotland at that period. Mr. Craigie's opinion was in the following terms:—

That the community of Perth have right to the Church not only because they have upheld the fabric but because they are patrons and have been in immemorial possession of disposing of the seats for the accommodation of the people. Nothing set forth in the memorial is sufficient to entitle Aldie to the Church or to any part or aisle thereof nor to debar the Magistrates and Council from disposing of any part of the Church on behalf of those who attend Divine Service. Notwithstanding the town's rights Aldie or any person may have a burial-place in it. In order to establish such a right it is not necessary that Aldie should be possessed of a positive grant either from the Town, the Crown or otherwise. A right to a burial-place may be established by prescription or immemorial possession, any positive grant of a burial-place believed to be by private deed which could not enter the records and thereby must be exposed to the accidents of time. The possession mentioned in the memorial is sufficient to establish

<sup>1</sup> Perth Literary and Antiquarian Society.

Aldie's right to the burial-place in question, that is the representatives of the family there being . . . buried there as far back as the memory of man reacheth ; especially when they happened to die elsewhere and were brought to this burial-place. This makes it a very different case from what commonly occurs when a gentleman of note dies in any place where he has no interest and happens to be buried in the Church. In such a case though several of the family should die and be buried in the same place that would give but a slender right. Another thing that gives weight to Aldie's possession is that it is not alleged that any others but relatives of the family have been buried there. Another circumstance may explain the nature of Aldie's possession if there be no Burgh Record that can instruct the family's applying to the Magistrates and Council for a license to bury in the church. This will import their burying *jure proprio* by virtue of a right competent to the family, though it does not now appear that any inscription within the vault bearing the name and arms of the family, the ancient denomination of the burial-place ; its being called Aldie's Tomb, and the tradition mentioned in the beginning of the memorial, all contribute to explain Aldie's possession in a matter so ancient and of this kind that does not pass by charter and sasine.

I am of opinion that the Magistrates of Perth act legally and warrantably when they dispose of any part of the church for the convenience of those who attend Divine Service. And they may lawfully place seats in the church above Aldie's tomb if they can be of use to accommodate the parishioners. As Aldie appears to have right of the burial-place these seats ought to be removed when the family has occasion to bury in the vault. And therefore the act of the Town Council in favour of those who have been allowed to build seats upon the tomb ought to be qualified with a proviso that they should be obliged to remove these seats when the family of Aldie have occasion to bury, and failing their doing so when required, that it be lawful for the family or any having their warrant to remove the seats at their own hand on such an occasion. This is what Aldie would obtain

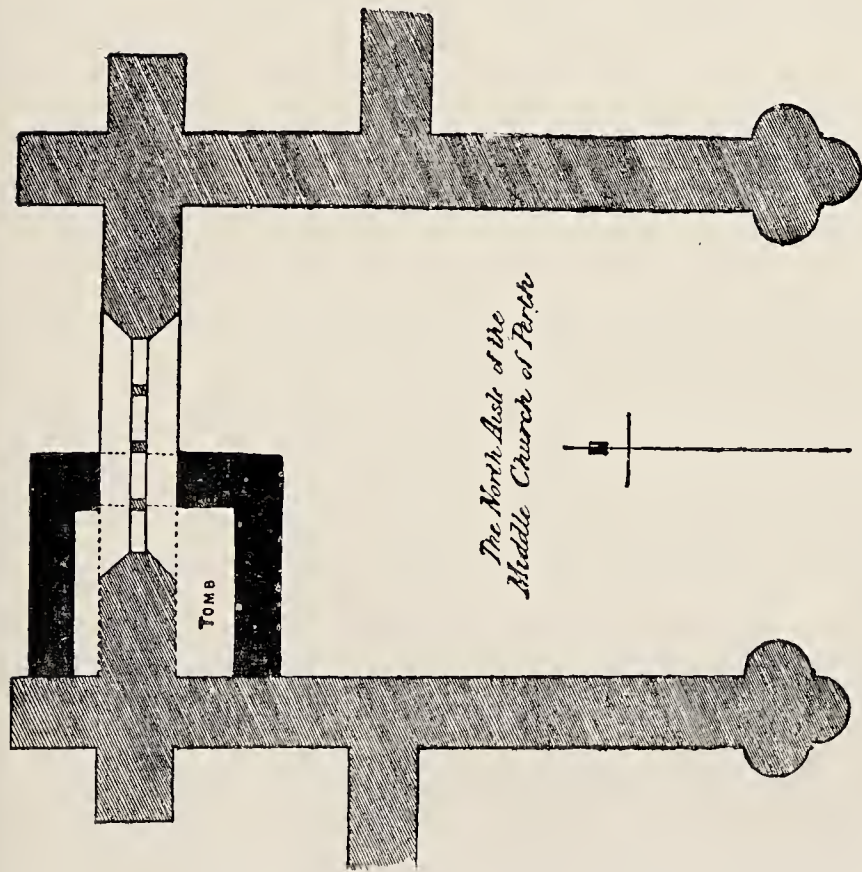
in a Declarator, and therefore the Council should, without any process, qualify the act in the manner stated, and Aldie ought to have an extract of it.

#### ALDIE'S VAULT IN ST. JOHN'S CHURCH.

Act of the Town Council ordaining the Scholars' Seat to be removed when Aldie shall have occasion to bury ; the Glovers to do it at their own expense, whom failing Aldie will do it. This memorial, after referring at some length to the antiquity of the town, proceeds :—

In that age Charters were brief. In this aisle there is a vault below ground which will admit two or three coffins at once only, and as it reaches below the principal side wall of the Church and projects some feet outside the wall, it seems to have been founded with the Church and as ancient as it. The heads of the family wherever they died were buried in this tomb, and Sir James Mercer of Aldie, who died in London, was brought here and buried, and Mrs. Grizel Mercer of Aldie, who died in Edinburgh, was buried here ; and these two burials being well remembered by many yet living, and the honours of Sir James Mercer fixed on twelve separate poles being still placed above the tomb. There was no permission or grant required or given by the town. As the heads of the family were regularly buried in this tomb so the other relatives of the family, especially if dying in or near Perth, were buried below the large arch at the north side of the Church where the Scholars' Seat is ; this goes under the name of Aldie's Aisle, and so Lady Logie was buried there by express permission of her sister, Lady Aldie, and several of Innernyte children by Aldie's daughter by express permission of Sir Laurence and his lady who was sister to Lady Innernyte ; and several of the family relatives. When any of the heads of the family were buried they desired the bells of the Church to be rung as is done to all persons of distinction, and they usually paid to the town 100 merks for the same, also something liberal to the poor. The Aldie family





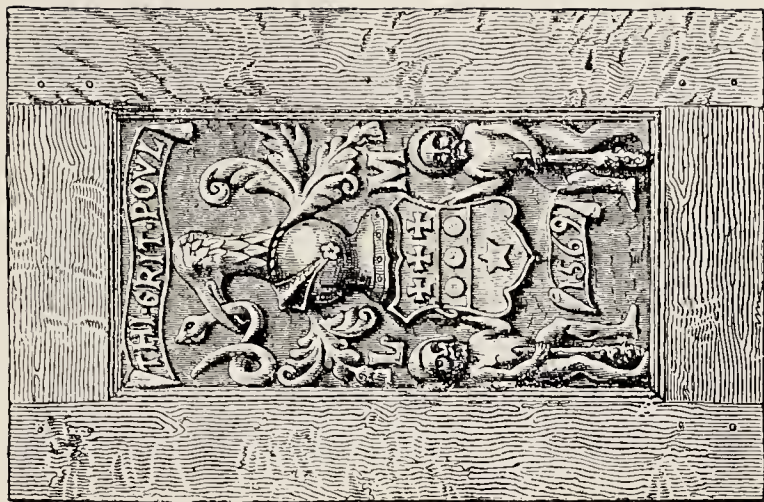
*The North Aisle of the  
Middle Church of Parthia*



20 3 10 FEET  
SCALE

To face 286

THE MERCER VAULT IN ST. JOHN'S CHURCH



THE MERCER ARMS.  
(As used by Lawrence Mercer in 1569.)





have been in the habit of paying for this burial-place about £50 at the one time and the like sum at another. It is true that the Scholars' Seat has been anciently placed in the said aisle, although so placed it was no obstacle to the tomb, nor did the town ever pretend to any use of that place below the Scholars' Seat until the council on application from the Glovers allowed them to put a seat there with a stipulation that they should remove it, when the town thought fit, for burying, but no notice being taken of the laird of Aldie's right he must feel imposed upon and desire to have redress ; the Glovers cannot be obliged to remove this Seat without an order of the Council, and thus it is plain that when the family has occasion to bury they must apply to the Council, and it will in a short time be optional to them to grant it or not. Aldie is not pleading the right and property of the aisle, but merely the use of the area for his burial-place, as they have the Scholars' loft there, and the real and proper use of the church for seats. Some of the Council have asked for Aldie's right of Charter, but it is pleaded for Aldie that as his right is as ancient as the church itself, and as he has been in immemorial possession he cannot now be required to produce any title ; and if the town were asked if they (the town) had any right to the church it is doubtful if any Charter could be produced. It is sufficient that the town is in possession, and nobody will or can controvert that ; and so it should be sufficient that Aldie possesses his burial-place, and if any title necessary he might well plead possession as part and parcel of the ancient House of the Green, which has ever continued in the possession of the family since the first John Mercer, who was first Provost of Bertha and Provost of Perth and a man of great importance in his time. Since the family of Aldie have constantly enjoyed and possessed that burial place, and the notion of his right is rooted in all the inhabitants, and none but must look upon it as a remarkable and distinguished piece of antiquity and honour, and they have ever maintained it by carrying their dead thither at a great distance and expense, and it is a matter that must be one of indifference to the town. Some of

the inhabitants will remember that they have seen at least £150 spent on the occasion of a funeral ; and since Sir Laurence is still anxious about it, it is confidently expected that the seat will be instantly removed to some distance.

With these proceedings, which took place in 1724, the historical narrative of this ancient family comes to a close. For seven centuries it has shown a consecutive record of direct descendants from the parent stem. While some of our nobility can trace their lineage as far back as the Norman Conquest, there is nothing amongst them older than John Mercer. The family, as a general rule, seem never to have been without one representative who had the capability of maintaining the traditions of his ancestors. The town of Perth was essentially the home of the Mercers. Generation after generation of them lived and died in the midst of its social and political life. Its prosperity and development were ever most dear to them, while they generously contributed of their means for the welfare of the people. The various members of the family who appeared on the public platform were evidently men of high principle, who looked with abhorrence on the commission of crime, and who were governed in their actions by principles of honesty and rectitude. The Ancient Capital can boast of many distinguished families closely connected with it during the middle ages, though none so ancient as the Mercers, and it must be admitted that the Mercers, who disclaimed all fighting propensities, exercised an influence for good over the community which was recognised and appreciated ; in proof of which we have only to appeal to our local archives. This influence was enjoyed by the Mercers probably to a greater extent than can be said of any other family connected with the Ancient Capital.

## CHAPTER X.

Battle of the Clans on the North Inch—Dundee and Perth vessels captured coming from Flanders—Capture and Ransom of James I., and his Personal Obligation to pay—Coronation of James I. at Scone—His Assassination in Blackfriars Monastery—Assassination of Douglas by James II.—Perth Magistrates burn Noblemen's houses: extraordinary conduct—Presentation at Perth of a Horse to James III. on the occasion of his visit—Visit of James IV. to Perth—Stobhall and the Drummond Family—The Ferry Boats at the North Inch: Kincarrathie Boat—Lease to Lord Stormont in 1536—Magistrates sink the Boat—Battle for the Provostship in 1544, and sixty persons killed—Martyrdom of Six Citizens—Methven Castle and its place in history—Methven Castle as a Royal Residence—The Laird of Methven marries Queen Margaret—The Famous Riot at Methven Castle in 1594—The Laird's wife presents a loaded pistol at the Covenanters in Methven Wood—Her letters to her husband regarding this incident.

THE memorable battle of the Clans took place on the North Inch in 1396, in presence of Robert III., his Queen, Annabella Drummond, the Governor of Perth, and a great gathering of nobles and people. The battle was one of the most startling events in the ancient history of Scotland. The Earls of Dunbar and Crawford failed to effect an amicable arrangement of a feud between the two clans—Macphersons and Camerons (Clan Chattan and Clan Whele)—and eventually proposed that the quarrel should be settled by open combat. Efforts were thereupon made by the King to prevent the battle, but in vain; and it was agreed that thirty on each

side should fight it out before the King and nobility ; that the vanquished should be pardoned for past offences, and the victors distinguished by some recognition from the King. Barriers were erected to keep off the spectators, and a grand stand was put up for the King and his Court at the Gilten Arbor, which overlooked the Inch. The Clans marched to the battle-ground to the sound of the pibroch, armed with bows and arrows, swords and targets, knives and battle-axes. It was a warlike spectacle. As the fight was about to begin, one of the Clan Chattan lost courage, swam across the river and escaped. The rest of the Clan refused to fight unless the vacancy were filled up. One of the spectators, Harry Smith, said to have been a skilled artisan, declared that, for half a French crown of gold, he would supply the place. This offer was accepted, and a fierce contest ensued. The Highlanders are said to have rushed at each other, uttering the most hideous yells, and cutting and mutilating one another. This savage battle lasted some hours, and must have been a disgusting spectacle. It is said that Harry Smith did great execution, and that the victory of the Clan Chattan was very much due to him. When the King saw that only one man of the Clan Whele was left, he declared the Clan Chattan the victors, eleven of whom still remained, including the man who escaped ; the result being that twelve men remained alive out of sixty. We are informed by a reliable writer<sup>1</sup> that the three branches of Macduff or Clan Chattan are Farquharsons, Macintoshes, Macphersons. This savage encounter, which must have resembled that of infuriated wild beasts, is

<sup>1</sup> Tolland's History.

a dark blot on the pages of our local history; and although the author of "The Fair Maid of Perth" has thrown around it the glamour of romance, the disgrace of such needless bloodshed must still remain. What is conspicuous is the weakness of the King. A king, with any force of character at all, would at once have forbidden such a proposal, but unfortunately he was one of the weakest of all the Scottish kings. And it says little for his nobles that none of them were capable of putting a stop to an affair which is anything but a credit to our local annals.

The more we try to realise the condition of the Highlands in the fourteenth century, the stranger seems this story of the battle of the Clans. In the form in which it has been transmitted to us, it has such an air of myth and unreality that it is almost startling to find in the Exchequer accounts of the year in question this matter-of-fact entry: "For timber, iron and making of lists for 60 persons fighting on the Inch of Perth £14 2s. 11d." The usage of chivalry by which a quarrel between two states or nations might be settled by champions selected from each was neither recognised nor understood among the Highlanders. Trial by combat had, however, in a previous age been a widespread and established mode of deciding questions of civil right; and perhaps we have here a late instance of this form of judicial process surviving in the Highlands after it had become obsolete elsewhere, and resorted to to settle a dispute regarding chieftaincy.<sup>1</sup>

In 1398, Robert III. held a Parliament in Perth, when the title of Duke was first introduced into Scotland, and the King's eldest son, the Earl of

<sup>1</sup> Exchequer Rolls.



Carrick, was created Duke of Rothesay, and the Earl of Fife, Duke of Albany. The Earldom of Crawford was bestowed on the King's brother-in-law, Sir David Lindsay. Another Parliament was held on 27th January, 1399, when it was resolved to levy contributions for the maintenance of the Government and for suppressing the "great and horrible destructions, hardships, burning and slaughter which are so commonly committed throughout the kingdom."

In 1405 occurred the martyrdom of John Ruby, an English priest, who was burnt at the stake at Perth because he introduced the doctrine of John Wycliffe into Scotland. He was tried before a Catholic tribunal for denying the authority of the Pope, and for denying that bread and wine used in the Sacrament were changed into the real body and blood of Christ. In the state of religious feeling at the time, no other sentence could be expected.

On October 24, 1405, the King commanded John Reamys and three others, his sergeants, to inquire into the complaint of the merchants of Perth and Dundee that their two vessels and merchandise, while on the voyage, the one from Flanders to Scotland, the other from Scotland to Flanders, were captured during the truce by persons in the counties of York and Norfolk, and to compel restitution.

On March 30, 1406, the King ordered the bailiffs of Scarboro' to cause the goods of certain merchants of Perth and Dundee, to the value of 1,299 nobles, captured at sea about Michaelmas last by John Jolly of Norfolk and others, in violation of the truce, and discharged in their port, to be restored without delay to Rothesay, Lyon king-of-arms in

Scotland, or his deputies ; similar writ to the Mayor and bailiffs of Kingston upon Hull for the restoration of goods to the value of 413 nobles belonging to certain merchants of Perth and Edinburgh, lately captured at sea by Henry of Tutbury of Hull and others.<sup>1</sup> On July 17, 1412, warrant was granted to the Chancellor for the safe conduct of Thomas Simpson, John of Perth and Gilbert Johnston, with six servants, to come to England in search of their goods lately taken at Hull, on the same terms as lately granted to Sir Robert Maxwell.<sup>2</sup>

These entries in the official records show that the merchants of Perth and Dundee at that period experienced a vast amount of trouble and expense in the export of wool, hides and other products to the Continent. The pirates were Englishmen belonging to the shipping ports on the east coast. There was evidently no effort made by the English King to put down so disgraceful a practice.

The records of the Ancient Capital at this period are dull and without any event worthy of reproduction. Passing on to 1430, it is recorded that an important Provincial Council was held in Perth on 16th July, 1430, when in the matter of the Confirmation of the Testaments the clergy reported on oath that the practice was—first, to pay the debts of the deceased, and to divide his estate into three equal portions, whereof one was given to the widow and one to the children ; the remaining third to be paid in legacies, and for obsequies and prayers in behalf of the deceased. And on this third the trustees paid five per cent. for the cost of the

<sup>1</sup> Kal. Doc. Scot.

<sup>2</sup> *Ibid.*

confirmation. These were approved and confirmed by the Council.

The reign of James I. began with his capture and imprisonment, and ended with his assassination. Shortly before his father's death, he was sent to France for protection from the English King and for education. This was in 1405. On the journey to France he was captured by an English man-of-war, when at the time a truce with Scotland was actually unexpired. In these times treaties were of a very elastic nature. The Prince was, in reality, kidnapped and sent a prisoner to Durham Castle. It was not till 1424 that he returned to Scotland and was crowned at Scone. He was well treated in England, though not allowed to return, until after the lapse of nineteen years, when he arrived in Scotland in great splendour, having married the King of England's niece. The question of his ransom came up for consideration before he was liberated, and in this matter Perth played a prominent part. Perth had to contribute her full share of this unreasonable "blackmail." In doing so it was stipulated that the King give his undertaking to see the amount repaid. The King's undertaking is an interesting document, *e.g.*:—

*Obligation by King James the First to relieve the four burghs of Edinburgh, Perth, Dundee, and Aberdeen, in reference to the payment of his ransom. 26th March, 1424, Durham.*

James, by the grace of God, King of Scots. To all men, cleric and laic of our kingdom, we make known that by our royal authority we are bound, and by the tenor of these presents do firmly and faithfully oblige ourselves to keep free and scaithless our beloved and faithful burgesses, to wit the provosts, and bailies, and communities of the four burghs of

our realm foresaid, that is to say, of Edinburgh, Perth, Dundee, and Aberdeen, and their heirs and successors, and each of them, respecting the payment of the fifty thousand merks which is to be paid to Henry, King of England, for our liberation, and for payment of which at the terms therein agreed upon, the said provosts and magistrates of our four burghs have, at our command, granted their written bond. And for doing what is above written without any exception, revocation, or impediment whatsoever, we oblige ourselves, by the authority of our royal majesty, and our heirs and successors, kings of Scotland, and that firmly without fraud, by the tenor of these presents. Moreover we promise and will be careful to make all and sundry provosts and magistrates of the remaining burghs of our realm, and their heirs and successors, oblige themselves in competent form under their common seals to assist and adhere to the provosts and magistrates of the four burghs in payment of the said sum of money (with power to distrain upon them for the same if they do not pay, either in whole or in part) and to take part in and contribute with them according to law in all burdens whether on account of the non-making of the principal payment of the foresaid sum of money or on account of the cost and expense of implementing this obligation either already incurred or to be incurred hereafter. In testimony whereof we command our seal to be appended to these presents at Durham 26th March, 1424, and the eighteenth year of our reign.

JAMES R.

James I. was crowned at Scone, 21st May, 1424, On 26th May, a few days after the coronation, a Parliament was held at Perth, when he is reported to have said, "Let God grant me life, and though I should myself lead the life of a dog in accomplishing it, there shall not be a spot in my dominions where the King shall not keep the castle, and the bush secure the cow." He called his second Parliament

to meet at Perth on 12th March, 1425. For the first eight days the proceedings were of a description not much calculated to provoke general alarm. This Parliament ordained regulations regarding trade, the imposition of new customs, a statute against the Lollards and a warning to the Benedictine and Augustine abbots to avoid suppression by reverting to their primitive discipline. Referring to the troublous times, the King said, "Let rapine and outrage no more be heard of, but every man recall himself to a civil and regular form of life ; especially you, my nobles, think virtue and civility true nobility, that to be accounted noblest which is best, and that a man's own worth begets true glory." This Parliament introduced the Court known as the Court of Session.<sup>1</sup> On the ninth day of the Parliament the King astounded the country by ordering the arrest of Murdoch, Duke of Albany, Walter and Alexander his sons, Archibald, Earl of Douglas, the Earls of Angus, March, and Lennox, and Sir Robert Graham, in all nearly thirty nobles and barons, some of whom he had knighted shortly before. Albany's two sons were tried and executed, and several of the nobles are recorded to have met the same fate. He at the same time seized the Castles of Falkland and Doune, and imprisoned Albany's wife, the eldest daughter of Lennox, in the fortress of Tantallon. This movement was mainly directed against the late Regent and his family. Almost all the rest were released after a very brief imprisonment. It is probable that all these nobles were concerned with the starvation and death of the King's brother, the Duke of Rothesay. At this Parliament taxes

<sup>1</sup> Exchequer Rolls.



were levied for payment of the arrears of the King's ransom. The tax to relieve the hostages was a curious one, viz., twelve pennies Scots per pound, and four pence on every cow, ox, or horse.

#### ASSASSINATION OF JAMES I.

The murder of James I. in the Blackfriars Monastery at Perth is one of the outstanding events of Scottish history. It would appear that in 1436 the King seized the estates of the Earl of Strathearn, as they were limited to heirs male. The Earl had no sons, but an only daughter, who was married to Patrick Graham of Kincardine. The seizure and the arbitrary treatment of many of the nobles already referred to was, as after events showed, a most unfortunate policy for the King. He also spread dismay among the nobility by another incident that occurred. The father of George Dunbar, Earl of March, had taken arms against Robert III., the King's father, but that crime had been pardoned. James, on pretext that the Regent had exceeded his power, and that it was the prerogative of the King alone to pardon treason, obtained a resolution declaring the pardon to be void and depriving Dunbar of the earldom. This proceeding created general alarm, as the nobles believed the precedent would be extended, and they might lose their estates. They resolved to unite for their own protection, and it was out of this movement that Atholl and Graham championed the conspiracy by which the King lost his life. Graham was a nephew of the King, being grandson of Robert II., and heir to the Strathearn estates. Atholl was the King's uncle. In a meeting

of the Scottish Parliament held at Perth in 1436, Sir Robert Graham accused the King of injustice and of the ruin he had brought on the noblest families in the State, specially the family of Strathearn. He suggested the arrestment of the King in name of the three estates of the realm, adding that "as his subjects had taken an oath to obey his Majesty, so likewise he had sworn to defend his people, to govern according to the laws of the realm, and to do them no wrong." This action of Graham was resented by Parliament, and the King ordered his arrest. Graham was sent into exile and his estates forfeited. He afterwards found his way to the Highlands, renounced his allegiance, and made it plain that, when an opportunity occurred, he would assassinate the King, who had ruined his family.

The King, hearing of Graham's treasonable threats, issued a warrant for his apprehension, and offered a reward of 1,500 pieces of gold to anyone who would kill him or bring him alive to the King's presence. The King then called a meeting of Parliament, which was held in Edinburgh shortly afterwards. What occurred at this Parliament we do not know, but that there was a hot debate admits of no doubt. It would appear that the Earl of Atholl and Sir Robert Stewart, his grandson (the King's Chamberlain), joined Graham, and that Graham had 300 followers to support him. Atholl claimed to be the nearest lawful heir to the throne, being the son of Robert II. by a second marriage, whereas Robert III. was alleged to have been born out of wedlock. The King's mother was Elizabeth Mure of Rowallan. On the rising of Parliament the King intimated his intention of keeping Christmas in the Blackfriars Monastery at

Perth. On his way from Edinburgh to Perth he was met by a mysterious woman who told him "if he crossed the Forth he would never return alive." James disregarded this, proceeded on his journey and duly arrived at the monastery. What happened between this and Christmas (three months) is not recorded—indeed the whole history of the period is fragmentary and open to question; but Christmas was ushered in at the monastery with the usual festivals and rejoicings. These lasted some weeks. On the day preceding the fatal night (in February, 1437), the King, who evidently regarded the Graham conspiracy as dropped, began to joke with some of his Court about the woman's mysterious prediction. The evening was wiled away by games of chess, the ladies reading romances, playing on the harp, or singing love songs. About midnight the mysterious woman made her appearance and wished to see the King, but she was requested to return to-morrow. She replied, "You shall all repent that I have not been allowed to see the King," and walked away. Shortly after, the party broke up and retired for the night. It is not easy to explain why Sir Robert Stewart, one of Graham's followers, was one of the guests in the Blackfriars Monastery that fatal evening. On the party breaking up, he went out and opened the doors so as to let the conspirators in. The monastery, it is recorded, was surrounded by a moat. Stewart bridged it by planks, and removed some of the locks from the doors that gave access to the King's bedroom. The King by this time had on his nightdress, and was standing before the fire of the room adjoining, engaged in conversation with the Queen and her ladies, when the sound of the clashing of armour

and the glaring of torches startled him, and he at once suspected it was Graham and his conspirators. The Queen and the ladies ran to secure the door of the apartment, but to their dismay found it open and the bolts removed. The King commanded the ladies to prevent entrance by the door so long as they were able, and he would endeavour to escape by the windows. These, however, were protected by iron bars, which rendered escape impossible. Under the bedroom was a subterranean passage which led to an outer court, and he immediately wrenched open one of the boards of the floor and descended, one of the ladies carefully replacing the board. This was a certain way of escape, but unfortunately the passage had been built up at the farther end a few days before. The conspirators now found their way to the King's bedroom, forcing open the door amid the cries of the ladies, who heroically attempted to barricade it. One of the ladies, it is said, named Douglas, with determined courage thrust her arm across to make a bar, but it was instantly broken by the brutal violence of the conspirators, who rushed into the apartment and attacked and wounded some of the ladies as they fled out. The Queen, who was overpowered by this unexpected outrage, stood paralysed in silence and did not move. One of the traitors wounded her, when a son of Graham ran forward and protected her, saying to the assailant: "Harm not the Queen. She is but a woman; think shame of yourself. Let us go and seek the King!"

The King, hearing no noise, and supposing the conspirators had left the apartment, told the Queen's ladies to bring him sheets and draw him out. In

endeavouring to do so, Elizabeth Douglas fell down beside the King, and at that moment some of the conspirators appeared. On seeing the floor torn up, one of them, named Chambers, by the light of his torch saw the King and the lady and called for his companions. Sir John Hall at once descended with a large knife in his hand, but the King, who was a strong man, seized him and threw him at his feet. Hall's brother next descended, and the King seized him violently by the throat and threw him beside his brother. Sir Robert Graham, seeing that the King had mastered the two Halls, descended with a drawn sword, and struck the King, who cried for mercy. Graham is reported to have said: "Thou cruel tyrant, never hadst thou any compassion on thine own kindred or the nobles of Scotland when under thy power, therefore none shalt thou have here." Said the King: "I beseech thee at least let me have a confessor for the salvation of my soul." "Thou shalt have no other confessor than this sword," said Graham, giving him a mortal wound, after which the unfortunate King was despatched with upwards of sixteen wounds from Graham and the two Halls. During this appalling tragedy the Queen escaped, but the citizens were fast assembling and surrounding the monastery; and the conspirators, seeing this, fled, but not before one of them was killed by Sir David Dunbar, who had the courage to follow them. The Queen, who was a woman of great courage, instantly took steps to seize the murderers, and within a month they were apprehended, condemned, and executed. The first to be executed were Robert Stewart and Thomas Chambers, whose heads were afterwards fixed on the gates of Perth.



Atholl's punishment was spread over three days. On the first day he was placed in a cart in which a donkey engine was erected, and by ropes and pulleys he was hoisted up. At the given signal the ropes were let go and he fell down. Then he was set on a pillory that every one might see him, and a red hot crown set on his head with the inscription, "The King of traitors." On the second day he was bound upon a hurdle and drawn at a horse's tail through the principal streets of Edinburgh. On the third day he was laid on a plank and disembowelled. He was then beheaded and his head set on a pole in the highest part of the city and his body quartered and sent to four cities.

The principal conspirator, Graham, was seized by John Stewart Gorm and Robert Duncanson, two Highlanders, and tried and condemned at Stirling. He met his fate in the most heroic manner, and defended his conduct as being an act of justice to the nation in respect that he had removed a tyrant. He was placed in a cart, in the centre of which was a pillar; nailed alive and naked to it, and holding in his right hand the sword with which he had killed the King, he was dragged through the streets of Edinburgh, the torturers on each side of him, tearing with their pincers the flesh from his body. His last words were that "he doubted not but that they continued these torments to make him deny and blaspheme his Creator; and if he did so he appealed to Christ, who was to be the great and mighty judge in the day of universal doom; thus the guilt would rest on their heads who had destroyed his soul." The tragedy concluded with the execution of Thomas Hall.

The circumstances which led up to the murder of

the King have been very imperfectly put before us. That James was an arbitrary and determined ruler, though a genial man in private, is a fact beyond question. His removal was a great misfortune to the nation, for he was a man of good principle, with administrative qualities of a high order. He had a bright and unclouded intellect, and governed the kingdom with unquestionable ability. The reasons we have named would be quite sufficient in that age to account for the brutal event. If a man could be executed for stealing a sheep or a cow, what would be the punishment for depriving a tyrant like Graham of his estate? The punishment, however, that Graham and his companions suffered was commensurate with the crime they had committed, and was well deserved. The date of the fatal night doubtless was a profound secret, while the King believed the conspiracy had fallen through. The Queen was evidently a woman of great courage. She never moved, though the conspirators, with their clashing swords, were thick around her; and she seems to have been entirely destitute of male assistance, a circumstance that is not explained. Her conduct after the event is much to be admired. Within a month she succeeded in apprehending the conspirators, and in having them tried and executed. This is one of the most appalling events that has occurred in the history of the Ancient Capital.

It is a curious fact that all the Stuart Kings possessed this tyrannical nature to a greater or less degree. In the present case, James I. was a superior man intellectually and morally to most of the Stuarts, and while we cannot but express surprise that a man of his enlightened nature committed so foolish an act

as the seizure of the Strathearn estates because there was no male heir, he might in the circumstances have yielded the point when he saw that the Grahams, through the female branch of the family, had a reasonable claim for consideration, and had a numerous following, and that an insurrection by them would follow in the event of confiscation. It also seems strange that when he banished Graham and declared his estates forfeited he did not then execute him. Had he done so, he would in all likelihood have escaped assassination. This brutal outrage sounded the death-knell of Perth as the metropolis of Scotland, and the Fair City, the pride of her citizens, fell from that enviable position, and sorrowfully witnessed the Court's removal to Edinburgh, which thereafter became the seat of Government and capital of the kingdom.

The conspiracy, it has been said, was essentially a dynastic plot, an attempt to vindicate the right of the second family of Robert II. as against the first, and its real head one on whom the King had heaped repeated benefits—his uncle, Walter, Earl of Atholl. This opinion we do not endorse. In point of fact, the dastardly deed aroused the indignation of the whole country, while the attitude of Graham, the principal conspirator, shows that, as far as he was concerned, it was purely a personal matter. Contemporary writers and later historians have alike left untold the fact that the heart of James, like that of his ancestor Robert Bruce, was removed from his body before interment, and carried on a pilgrimage to the East. James I. was buried in 1437 in the Chapel of the Carthusian Monastery at Perth, founded by him, and the only establishment of that order in Scotland.

There is an official entry of a payment of thirty pounds in customs account for twenty "vangis" or "wavis" of Spanish iron for the making of a railing for the protection and enclosure of the King's tomb. The iron was delivered to Friar John of Bute, a Cistercian, whose name appears in the records. There is also an entry by the Prior of the Carthusians, attested by John of Bute, of £48 12s. 5d. for further outlay in connection with the manufacture of this railing, and also for celebrations on the anniversary of the King's death. Entries in the Rolls tell of the arrival of the heart of James in Scotland, brought by the Knights of St. John from Rhodes and exhibited and presented to the Carthusian monks at Perth, but there is no mention of its final resting-place, which doubtless was this monastery. There is also an entry of £90 paid to the Knights of St. John from the customs of Edinburgh, and of £1 from the customs of Perth in connection with the matter.<sup>1</sup>

The Queen and young King James II. fled from Perth to Edinburgh Castle, of which Sir William Crichton was Governor. It is said that dissembling her enmity to Crichton, the Queen afterwards devised means to remove her son from Edinburgh Castle by stratagem. Starting on a tour to the Church of St. Mary at Whitekirk, she concealed the young King in a chest which formed part of her luggage, and instead of going to Whitekirk, which was a proposal to hoodwink Crichton, she went on board a ship at Leith, and made her way by water to Stirling Castle.

James I. was a man of decision. A story is told by Fordoun that in 1431 a Highlander, named Donald Ross, had carried off two cows belonging to a poor

<sup>1</sup> Exchequer Rolls.

woman, and that the latter said she would never wear shoes till she had carried her complaint to the King. Says the Highlander, "I'll have you shod myself before you reach the Court," and the story goes on to say that he effected his purpose by nailing shoes to her naked feet. In the course of time the poor woman found her way to the King, who had the freebooter seized and sent to Perth, where he was tried and condemned. A coarse linen shirt was thrown over him, on which was painted a rude representation of his crime, and after being paraded in this through the streets of the town, he was dragged at a horse's tail and then, with twelve of his company, executed, presumably on the Burghmuir. Another anecdote is told of James: Two nobles had quarrelled, and one struck the other on the face. James had the offender seized and ordered him to stretch out his hand on the council table, and giving his own cutlass to the man who was struck, ordered him to strike off the offender's hand, threatening him with death if he refused. The Queen at this crisis stepped forward, and falling on her knees implored forgiveness for the offender, which eventually was granted, but he was banished from Court.

James, it is said, was the most accomplished prince of his age. He was at great pains to inquire into all the characters and learning of his several professors, and often honoured their public acts with his presence. He kept a diary, in which he wrote down the names of the learned men who deserved his patronage and preferment; and he reproved such Churchmen as lived unsuitably to their character. Observing the dissolute lives of the clergy, he brought over the Carthusian monks, whom



he endowed, and to whom he allotted a monastery at the west end of Southgate (South Street), and sometimes resided there. Archery was an indispensable branch of education under James. He abolished football and put archery in its place.<sup>1</sup> The Queen of James died in 1446. This was shortly after the death of her second husband, Sir James Stewart. She bore the King two sons and six daughters, and to Sir James Stewart three sons, viz., John, Earl of Atholl, James, Earl of Buchan, and Andrew, Bishop of Moray.

A fortnight after the death of the King, the following official paper on behalf of the young King was sent to the Corporation of Perth:—

We charge you that for resisting of the felonious traitors who horribly murdered our progenitor of full noble mind whom God assoilzie, and for defence of your said burgh, you fortify it with walls, fosses, and otherwise to secure keeping thereof, both with your persons and goods, under all the pain and danger ye may have against us; and if any such traitors or rebels invade you sorely notify that to us, and we shall provide proper remedy therefor, after the advice of our Council, to the welfare of said burgh and you, the which we desire and trust to find true and firm to us. Edinburgh, 7th March, 1437.

After this event, our local history seems to have been for four years a blank. In 1441 a General Council was held at Perth, at which an order was issued for the support of the St. Ninian's altar in the Church of the Carmelites or Whitefriars; and at a Parliament held in Perth in 1445, and a General Council in 1450, the foundation of the Carthusian Monastery was ratified.

<sup>1</sup> Guthrie.

The assassination of Douglas by James II. is a curious episode. It would appear that Sir Patrick Gray of Kinneff was sent to Douglas by the King to request the release of Sir Patrick M'Clellan, Gray's nephew. Aware of the object of Gray's visit, he gave orders immediately on Gray's arrival that M'Clellan should be led out to the courtyard of the castle, and beheaded during the time he and Gray were at dinner. Having concluded dinner, Gray handed Douglas the King's missive. Douglas took his guest out to the castle green. "Yonder," says he, "lies your sister's son; unfortunately, he wants the head, but you may take his body, and do with it what you like." "My lord," said Gray, "since you have taken the head, you may dispose of the body as you will," and calling for his horse, rode across the drawbridge to be out of danger. Then addressing Douglas in a stern voice, said, "My lord, if I live you shall be rewarded according to your demerits for this day's work." Douglas, incensed at this speech, called for his horse, and pursued Gray to Edinburgh; but the fleetness of Gray's horse saved him. When Gray reached Stirling and acquainted the King of Douglas's brutal conduct, the King was greatly incensed, and invited Douglas to attend the Court on 22nd February, 1451, which Douglas did, after first obtaining a safe conduct under the Great Seal, duly signed. He began to upbraid the King for depriving him of the offer of lieutenant-governor of the kingdom, and declared he would not renounce an engagement he had made with Ross and Crauford for any living man. The King, who was incensed at Douglas for beheading Sir Patrick M'Clellan, lost all self-command at this insolent defiance, and

passionately exclaiming, "By Heaven, if you will not break the league, I shall!" drew his dagger, and stabbed Douglas first in the throat and then in the lower part of the body. Upon this, Sir Patrick Gray, who had sworn revenge upon Douglas for the murder of his nephew, struck him with his battle-axe, and the rest of the nobles present completed the deed. The dead body, pierced by twenty-six wounds, was cast out into the open court adjoining, and was ignominiously buried on the spot.

In 1457 James II. visited Perth and the Blackfriars' Monastery, which, since his father's assassination, had ceased to be a resort of Royalty.

It would appear that when the neighbouring barons quarrelled with the magistrates of Perth, they prohibited their tenants from furnishing the town with provisions and other necessities. It is recorded that the Magistrates on certain occasions issued out at the head of the citizens, and burnt down the barons' castles. The Town's Records have preserved some instances of remission and fines paid for these outrages, as for instance the following, dated in the reign of James III. in 1491:—

Be it known to all men by these presents we, Laurence, Lord Oliphant of Aberdalgie, have quit, claimed, and discharged, alderman, council, and community of the burgh of Perth, and their successors, heirs, and executors for now and ever of the down casting of the house of Dupplin, and of the spoliation of it and Aberdalgie; and of all and sundry actions, quarrels, and pleas, debates, questions, and demands depending betwixt us and them until the date of the making of these present writs, but reserving fraud or guile. In witness whereof we append our seal, etc.

There is also a record of a high penalty paid by the town to Sir Thomas Bruce of Clackmannan for burning the mansion house of Gasconhall, about five miles from Perth; also a remission under the Great Seal granted to the magistrates, council, and community of Perth for burning the House of Craigie in the neighbourhood of Perth, 5th February, 1526.<sup>1</sup>

In June, 1488, James III. paid a visit to Perth and issued a proclamation for the neighbouring gentlemen to meet him there, and to assist him against his rebellious subjects. David, Lord Lindsay, of the Byres, came to him with 3,000 foot and 1,000 horse. Lindsay was riding a beautiful grey horse, from which he alighted and did obeisance to the King. He then presented this horse to His Majesty, telling him it would beat all horses in Scotland in pursuit or flight, and would do it well. Lord Ruthven, Sheriff of Strathearn, brought 1,000 horsemen well equipped, and 2,000 foot. The men of Perth went all with the Sheriff. The King thanked Lindsay heartily for his horse, and graciously accepted the gift. He rode it at the Battle of Sauchie. At that battle he was defeated and fled, but the horse jumping a burn, probably the Bannock, the King was thrown, and afterwards murdered.

In 1490 James IV. visited Perth. The house where he lodged is supposed to have been on the east side of the Watergate, the houses there being at that period occupied by the nobility, or by officers of the Crown. The King's house belonged to Sir John Tyrie, Provost of the Collegiate Church, Methven. The King in 1510 granted to Tyrie the charter of the lands of Busby, near Methven, in

<sup>1</sup> Archives of the Literary and Antiquarian Society.

return for this house in the Watergate. This seems a very doubtful transaction, as the Watergate house would be no recompense for the lands of Busby.

In 1493 a quarrel arose between the town and the Ruthvens, as is indicated in the following very brief entry from the Council Records :—

*Protest by the Town of Perth against William  
Lord Ruthven and his Son.*

EDINBURGH, 24<sup>th</sup> October, 1493.—Before the Lords of Council, Andrew Charteris and Robert Mercer appeared as procurators on behalf of the provost, bailies, and town council of Perth, and protested that because William, Lord Ruthven, and William Ruthven, his son, were summoned at their instance for certain actions contained in the summons, and would not compeer, therefore they should not be heard in judgment against the town, until they pay to them their costs and damages, and until the town be of new summoned. Extracted from the Acts of Council by John Fresale [Fraser], dean of Restalrig, Clerk of the Rolls.

The providing of money for the maintenance of the Perth Bridge, so often washed away, was a matter which demanded the constant attention of the authorities. On 10th July, 1508, an order was issued by Andrew, Lord Gray, High Justiciary north of the Forth, in favour of the Magistrates of Perth, to uplift £100 Scots of the Justice Ayre for upholding the Bridge of Tay.

EDINBURGH, 10<sup>th</sup> July, 1508.—Whereas at a court held at Perth on 29th June, 1507, John Lord Oliphant and Alexander Scot in Flawcrag were fined as pledges for the entry of George Moncreif your neighbour, we therefore command and charge you that, from the said John Lord Oliphant and Alexander Scot, often called to enter George



Moncreif foresaid to underly the law for crimes to be laid to his charge, as they became pledges for his entry, and not compearing, ye levy £100 and that ye distrain for the same ; which sum ye shall expend upon the upkeep of the Bridge of Tay ; also ye shall make your account of said sum and disposal of the same in the Exchequer of our lord the king under the usual penalty.

This year there is an important entry respecting the Drummond family. John, first Lord Drummond, had taken through life a position beyond his rank as one of the smaller barons, owing to the relations of his family with the Royal House, through Annabella, wife of Robert III., and with several noble families. He appears in the accounts as Chamberlain of Strathearn, to which he was appointed by the Queen in 1514. To his original lordship of Stobhall he had added the nucleus of what afterwards became the Earldom of Perth ; and he had also built the original keep of Drummond Castle about 1487. The offices of seneschal or steward, and coroner of Strathearn, in the abeyance of the old earldom, gave him the chief power in that district ; and he distinguished himself both in military and diplomatic affairs during the reign of James IV. His daughter, Elizabeth, married George, master of Angus, eldest son of "Bell the Cat," and was mother of Archibald, sixth Earl of Angus. Beatrice married James, first Earl of Arran. The remaining daughter, Annabella, became the wife of William, first Earl of Montrose. Lord Drummond had abetted the unfortunate match of his grandson Angus with Margaret Tudor, and he took part in the revolutionary proceedings at Perth in 1514 when Beaton was deprived of the Great Seal,

and when Comyn, the Lyon king, who had summoned Angus before the Council, was struck by Lord Drummond. For this offence Lord Drummond was sent to Blackness Castle, and was tried and condemned to death by Parliament, 15th July, 1515, but was afterwards pardoned. He died at Drummond Castle in 1518. Lord Drummond was for a time keeper of Stirling Castle.<sup>1</sup>

Another daughter, Margaret, is said to have been a lady of rare perfection and singular beauty. With her James IV. was so deeply enamoured that, without acquainting his nobles or council, he was affianced to her in order to make her his Queen. But so soon as this was known, objections were made by the nobility and clergy—the latter declaring that they were within the degrees of relationship forbidden by law. She had an illegitimate child to the King named Lady Margaret Stuart, born 1497. He rejected all propositions of marriage so long as Margaret Drummond lived. She died in 1501, or four years after the birth of the child, and is supposed to have been poisoned by those opposed to her marriage with the King. She had two sisters, Euphemia, wife of Lord Fleming, and Sibylla, staying with her, who were also poisoned at the same time. All three lie buried in the choir of Dunblane Cathedral. This is one of the most melancholy incidents in Scottish history, but when we consider the administration of Scotland at that period, and the morals of its insubordinate lords and barons, we need not be much surprised.

<sup>1</sup> Exchequer Rolls.

## THE FERRY BOATS AT THE NORTH INCH.

In old times there was a regular ferry under the charge of the Magistrates, at the top of the North Inch, and two boats were regularly employed for the conveyance of passengers. This ferry was rendered necessary by the constant destruction by spates of the bridge across the river. In 1536 an agreement was entered into in the following terms by Lord Stormont and the Magistrates:—

At Perth and Scone, 20th and 23rd March, 1563. It is appointed and agreed between the Provost, Magistrates, Council, and Deacons of Crafts of the burgh of Perth on the one part, and Mungo, Viscount of Stormont, Lord Scone, on the other part, and that by the counsel and advice of William, Earl of Errol, Lord Treasurer and High Constable of Scotland. The Provost, Magistrates, etc., for themselves, and their successors in office grant license to the said Viscount Stormont during all the days of his life for the passage and service of two boats at the head of the North Inch where they have served these several years past; for serving his lordship's family, servants, and our sovereign lord's lieges as they have done hitherto without obstacle or molestation, without prejudice always to the said burgh's rights and liberties which shall in no way be affected thereby. In witness thereof, etc., (Here follow the signatures.)<sup>1</sup>

The popular name of this ferry was the Kincarrathie boat, and two hundred years after the date of this agreement we find an important despatch from Laurence Craigie, advocate, Edinburgh, under date, July 7, 1735, addressed to the Town Clerk in the following terms:—

<sup>1</sup> This agreement was renewed and ratified in 1636.

When my brother Glendoick was in town we had a conversation to try if possible and get the difference between Kincarrathie and the Town Council made up. I told the Provost that having no apprehension respecting Kincarrathie's title, I would propose that he should allow his boat to be put under such regulations as would prevent inconvenience to the town; and, besides, should pay as much to the town as any boat on this passage. Failing this—arbitration. The matter was submitted to Duncan Forbes of Culloden, Lord Advocate. The magistrates pointed out that this boat on the river landed passengers on the North Inch and at Kincarrathie, and was injurious to the toll on Perth Bridge. The Kincarrathie fishing-boat gave occasion for putting on passenger boats when the Stormont boat ceased. The magistrates stopped the carrying of bestial by these boats, as it involved the cattle going along the North Inch. The town officers were sent on market days to stop the landing on the North Inch. The magistrates imprisoned the Kincarrathie boatman for encroaching on the town's property. They also caused to be destroyed, by sinking under the water, the Kincarrathie boat. The town's boatmen on the Bridgend passage always plied Kincarrathie passage when they pleased.

The matter seems to have been amicably settled at this stage, for nothing further is recorded. The municipal authority in the sixteenth century was weak and insufficient, as the following ludicrous event shows. In 1588 William New at Quarrymill complained to the Privy Council, and pointed out that on the 2nd March while he was in the Meal Vennel, Oliver Peebles, meeting him accidentally and violently addressing him, ordered him to be imprisoned in the Tolbooth of Perth without having the authority of the Magistrates. In the Tolbooth he was detained, though he was a free citizen. He desired the King and Council to set

him at liberty. Procurators having appeared for both parties, there was produced a paper by the magistrates, dated 14th March, bearing that New was apprehended and imprisoned, and because of a complaint by Peebles, founded on a paction between him and New, he had been appointed to remain in ward till he found caution, which caution not having been found, he was detained in the Tolbooth. In respect of this defence the Lords assoilzied the magistrates and Peebles from a highly illegal transaction.

Passing on to the year 1544, it was memorable in the annals of Perth as being the year of the martyrdom of six well-known citizens: Robert Lamb and Helen Stark his wife; William Anderson, James Ronald, James Hunter, and James Finlayson. These people were accused of interrupting Friar Spence in a sermon in which he said that there was no salvation without intercession and prayer to the saints. A wooden image of St. Francis had been put up to adorn the entrance to Greyfriars Monastery. Anderson, Ronald, and Finlayson were also accused of nailing two ram's horns to St. Francis's head and putting a cow's rump for a tail to represent the devil; while Helen Stark was accused also of refusing to pray to the Virgin Mary. They were imprisoned in the Spey Tower, being all found guilty, and condemned. Great intercession was made for them by the citizens, but it was of no avail. Cardinal Beton ordered the men to be hanged and the woman to be drowned. The sentence was duly carried out, Beton watching the execution from the windows of the Spey Tower.

Another important event happened this same year. The Regent, James Hamilton, Earl of Arran,



was a weak man, and a tool of Beton's. He, at Beton's instigation, turned Ruthven out of the Provostship and put John Charteris of Kinfauns in his place. Charteris was a Roman Catholic. The citizens resented this, and a quarrel ensued. Charteris prevailed on Lord Gray to assist him. Gray and Charteris came with an armed force and attacked the town from the bridge, while another division came by the river and attacked the South Port. At the bridge port the drawbridge was up, and the iron-bound gates of the tower, which opened to High Street, were barred and bolted. Ruthven had withdrawn his guards from the bridge into the neighbouring houses and lanes. Gray fell into the snare, and marched unmolested into the town. Ruthven immediately sallied out, gave charge and defeated him, his soldiers taking to flight, while sixty are said to have been killed. This skirmish took place on 22nd July, 1544, and established Ruthven and his party in power.

Within these bars were killed above three score,  
Upon the bridge and waters many more,  
But most of all did perish in the chase,  
For they pursued were unto the place  
Where all their baggage and their cannon lay,  
Which to the town was brought as lawful prey.

—ADAMSON.

Ruthven was afterwards, in 1546, appointed Keeper of the Great Seal.

This was not an ordinary contest for the Provostship, and to understand it aright we must go back to 1542. The community was divided into two sections, viz., that led by Cardinal Beton and that led by Lord Ruthven. In 1542 there was a violent contention between parties to get their own nominee put into

the civic chair, and both complained to the King (James V.). The King on 6th October, 1542, replied: "Convene your old council and new, and your best neighbours, and elect a gude and common man to be your Provost for the weill of our burgh." Three days after, the Council met and elected John Christison as Chief Magistrate. Evidently Christison must have died, for in August following, the Regent Arran—the King also having meanwhile died—ordained the Council to elect John Charteris as Provost, and to reject Ruthven. Charteris was thereupon appointed, but the Regent, in January following, removed him from office, and put Councillor Alexander M'Breck in his place. On 15th April thereafter there was a proclamation by the Regent to the Sheriff and Magistrates of Perth, and to those of the neighbouring counties, intimating that John Charteris of Cuthilgourdy, Thomas Charteris of Kinfauns, and their accomplices, to the number of eighty persons, were declared rebels, and ordaining them to be apprehended and brought to justice. Following on this, Lord Ruthven was elected Provost at Michaelmas, 1544, without opposition. On 26th January following, Ruthven was removed from office by the Regent at the instance of Cardinal Beton, and the office of Sheriff and Provost given to John Charteris, notwithstanding the proclamation referred to. The burgesses declared they would not stand this, denounced Beton, refused to recognise Charteris as their chief magistrate, and resolved that Ruthven should hold office. The Regent, evidently a creature of Beton's, came to Perth, removed Ruthven from office, and reinstated Charteris. This unwise proceeding incensed the people more than ever, and open rebellion was the

result. It was evidently a question of the supremacy of the Protestant or Catholic faith, and from this period up to the Reformation in 1559 religious feeling on both sides ran very high. Lord Ruthven in this rebellion championed the Protestant party, and Charteris the Catholics, Lord Gray arriving on the scene with a contingent to help Charteris. The contest then proceeded as just recorded; the fact that sixty persons lost their lives shows that it was a contest of a very serious character. Lord Ruthven, however, though he was victorious, and totally defeated his opponents, only retained office till the following Michaelmas, when he retired, and Provost Maxton, who was appointed Provost by the King in 1542, was elected to succeed him.

On June 8, 1548, James Gray of Walton wrote Somerset: "The Master of Ruthven has specially requested that if any service is to be done he ought to be called upon. He has told me that by his father's means St. Johnstoun shall be delivered to your grace, wherein if you dealt with him it may take better effect."<sup>1</sup> In Thomas Fisher's memorial of June 27 it is stated: "If Brand has concluded with Lord Ruthven for the delivery of St. Johnstoun as commissioned, Lord Clinton to receive, Lord Ruthven to take the navy to the said town, or alter it as Lord Ruthven thinks good."<sup>2</sup> This is a mysterious entry, for which we find no explanation. In 1556 there was a letter from the Queen Regent exempting the inhabitants of Perth from attending the assize except for crimes committed in the burgh, or within one mile thereof. This letter was in 1594 founded upon

<sup>1</sup> Kal. Doc. Scot.<sup>2</sup> *Ibid.*

by the inhabitants of Perth for refusing to go on a jury for the Methven riot.

Methven Castle has been the scene of many remarkable events in the course of its long and interesting history. It is recorded that Roger Mowbray of Normandy came over with William the Conqueror. Philip Mowbray, a hundred years later, came to Scotland, and his brother Robert obtained a grant of the barony of Methven. In 1314 one of the Mowbrays was Governor of Stirling Castle in the English interest, but was compelled to surrender at Bannockburn. His estates were confiscated by Robert Bruce, and Methven was given to Walter, the High Steward of Scotland, Bruce's son-in-law, whose son, Robert II., succeeded to the estates. This ruler was the first of the Stuart Dynasty. He bestowed Methven on Walter Stuart, Earl of Atholl, his second son by Euphame Ross, his second wife. This Walter Stuart founded the Collegiate Church of Methven in 1433.

In 1444, Methven Castle, which must have been occupied by Sir William Crichton, was besieged and captured. In 1450-51 King James II. and his Queen were resident there. Crichton was Chancellor of Scotland and Governor of Edinburgh Castle, and a prominent man in the reign of James II. On one occasion, 1439, he kidnapped the King at Stirling, that he might take him out of the power of Sir Alexander Livingstone, Governor of Stirling Castle.

Methven Castle became the property of the Crown on Atholl's attainder for being concerned in the assassination of James I. In 1513, the Battle of Flodden took place, when James IV. was killed. His wife, Queen Margaret, was a daughter of

Henry VII., and sister to Henry VIII. After the King's death she married Archibald Douglas, Earl of Angus, to whom she bore one daughter, who became Lady Margaret Lennox, mother of Darnley.

We are informed by a well-known writer,<sup>1</sup> that the Queen Regent that year, 1514, without the advice of her brother Henry VIII., or of the nobility, on a sudden married Archibald Douglas, Earl of Angus,<sup>2</sup> at which Beton the Chancellor was much displeased. Angus seized him in the town of Perth, and took the Great Seal from him. The Chancellor informed the nobility of this indignity. They rose in arms, and the Queen Regent, with her husband, fled to the English border, where she remained till the birth of her daughter the following year. On account of the infidelity of Angus, the Queen divorced him in 1525.

In 1526 Queen Margaret married Henry Stuart, second son of Lord Evandale, afterwards Lord Ochiltree. Her son, James V., raised Stuart to the Peerage in 1539 as Lord Methven. Queen Margaret took up her abode at Methven Castle, and died there in 1544. She was interred with great pomp in the Carthusian Monastery at Perth, beside the tomb of James I., and his consort Joan. The King, with a numerous retinue of nobles, accompanied the funeral procession to Perth. The tomb of Mary of Guise, the Queen Regent and Queen Mary's mother, has been discovered in Edinburgh, but the last resting-place of Queen Margaret and the other Royal personages buried in the Carthusian Monastery, who were afterwards removed to St. John's Church, it would be impossible now to point out.

Lord Methven thereafter married Janet, daughter

<sup>1</sup> Balfour.    <sup>2</sup> The ceremony took place in Kinnoull Church.



of the Earl of Atholl, by whom he had a son named Henry, who became second Lord Methven, and three daughters. One of these married Colin, Earl of Argyle, while his youngest, named Dorothea, became the wife of William, Lord Ruthven, first Earl of Gowrie. The second Lord Methven is said to have married Jean, daughter of Patrick, Lord Ruthven. He left a son who was Henry, third Lord Methven, and who died in 1584 without issue, when the title became extinct. The Lordship of Methven was thereafter conferred by James VI. on the Duke of Lennox. In 1664 Patrick Smythe of Braco purchased the estate from Lennox, and it still remains in Mr. Smythe's family, represented to-day by Colonel Smythe of Methven.

In 1594 a riot took place at Methven Castle, when a man named Farquharson was killed. An assize was held at Perth to judge the case, and the burgesses who were summoned as the jury objected to appear, and appealed to the Lords of Council and Session, when the following deliverance was given :—

Letters of charge by the Lords of Council upon the complaint of the provost and magistrates of Perth stating that in the action by the Lord Advocate against William Gray of Lyndoch, George Kay and others for besieging the Castle of Methven, a great number of the burgesses of Perth were summoned upon their assize under the penalty of £40, and not a few of them were troubled therefor, and that unjustly, seeing that by letters of exemption granted by the King's mother, the inhabitants of Perth were exempted in all time coming from serving upon assizes and inquests before the justice and his deputes or other judges unless the crime to be tried was committed within the burgh of Perth or a mile thereabout. Also that the King himself and Lord

Treasurer under the privy seal on 25th January, 1591, ratified the exemption, and discharged and remitted the fines of any person who may have, contrary thereto since the granting of the said exemption, been proceeded against by horning or otherwise for refusing to serve upon such assizes. A great number of the inhabitants were on 25th January, 1591, fined for not compearing before the Justice and his deputes to pass upon the assize of William Bruce at the Mill of Gorthy, Colin and Patrick Bruce, his sons, Alexander Ruthven, at the Mill of Ruthven, and Patrick Ruthven, his brother, who are accused of the slaughter of Donald Farquharson. The Lords hereby annul the same, and discharge all officers of the Crown from further summoning of the said inhabitants against the tenor of the foresaid exemption. Given under the signet at Edinburgh, 7th June, 1594.

Coming down to the year 1679, there is a good story told of the Methven family. Patrick Smythe, the proprietor, was in London. A large meeting of the Covenanters—a conventicle—composed of the citizens of Perth and people from all parts of the country, took place in Methven Wood. Mrs. Smythe, at the head of sixty followers and with a cocked pistol in one hand and a sword in the other, appeared on the scene. The Covenanters asked her intentions, and she replied that “Unless they left her husband’s grounds instantly it would be a bloody day,” to which the reply was, “That they were determined to preach whether she agreed or not.” They, however, to save bloodshed, removed from the grounds to an adjoining field, where they held their meeting. Mrs. Smythe was a lady of great force of character, and this incident indicates her fearless and resolute nature. She was of the family of Keith, the Earl Marischal, and possessed her full share of the

determination and courage which belonged to that distinguished family.

The correspondence of this lady with her husband when this extraordinary incident occurred will convey a better idea of the circumstances to the mind of the reader. The first letter is dated October, 1678, and is as follows:—

*To the Laird of Methven at London.*

MY PRECIOUS LOVE,—In answer to your frequent desires to keep your command<sup>1</sup> free of disorderly people, as I wrote formerly to you, we were tormented with a field-conventicle, which came betwixt Culmalundie and Gask's ground. The Monday after their coming, I caused try who had been there of our concern: only two women, the one a vassal's wife, who promised to the Provost and me not to go again; the other a widow in Needburn. She had nobody to bind for her. I called a court, and, in the King's Majestie's name and yours, conjured them not to break the laws and statutes of this nation, under the pains of the rigour of punishment. There is none in your ground gone since. Had Tippermallo, and Balgowan the tutor, and the rest, taken such course, we had been timelier free of them. I caused hold a court in our own hall; and the one wife had not money to pay the officer for summoning her. I caused her deliver her apron till she should pay. It has lately come to my hearing that some of the poor vassal men have been here. With the next ye shall have notice of my handling them to the length of justice. The Provost<sup>2</sup> told those who spoke with him in that affair, if every master kept as strict an eye over their ground as ye allowed me to do, there would be no conventicles in the land. They are an ignorant, wicked pack. The Lord God clear the nation of them.

I am your faithful depute, to the power of

ANNE KEITH.

<sup>1</sup> Smythe of Methven was lord of that regality.

<sup>2</sup> Provost of the Collegiate Church of Methven.

The next letter proceeds:—

*For my Heart-keeper.*

MY PRECIOUS LOVE—A multitude of men and women, from east, west, and south, came, the 13th day of this October [1678], to hold a field-conventicle, two bows draught above our church. They had their tent set up before the sun, upon your ground. I, seeing them flocking to it, sent through your ground and charged them to repair to your brother David, the bailie, and me, to the castle-hill, where we had sixty armed. Your brother, with drawn sword and bent pistol, I with the light horseman's piece bent, on my left arm, and a drawn tuck in my right hand, all your servants well armed, marched forward, and kept the one-half of them fronting with the other, that were guarding their minister, and their tent, which is their standard!<sup>1</sup> That rear party that we yoked with, most of them were St. Johnston people. Many of them had no will to be known, but rode off, to see what we would do. They marched towards Busbie. We marched betwixt them, and gained ground before they could gather in a body. They sent off a party of 100 men, to see if we meant to hinder them to meet. We told them if they would not go from the parish of Methven presently it would be a *bloody day*!<sup>2</sup> for I protested, as also your brother, before God, that we would wear our lives upon them, before they should preach in our regality or parish. They said they would preach. We charged them either to fight or fly. They held a counsel among themselves what to do. At last, about two o'clock in the afternoon, they said they would go away, if we would let the squadron that was above the church, with the tent, march freely after them. We were content; knowing they were ten times as many as we were, and our advantage was, keeping the one half a mile from the other, by marching in order betwixt them. They seeing we were desperate, marched over the river

<sup>1</sup> It showed great generalship in the lady thus to divide the superior forces of the enemy.

<sup>2</sup> Only "Pretty Fanny's ways."



Pow. And so we went to the church and heard a feared minister preach!<sup>1</sup> They have sworn not to stand such an affront, but have resolved to come the next Lord's day: and I, in the Lord's strength, intend to accost them with all who will come to assist us. I have caused your officer to warn a solemn court of vassals, tenants, and all within our power, to meet on Thursday; where I intend, if God will, to be present; and there to order them in God, and our King's name, to convene well armed to the kirk-yard on Sabbath morning by eight o'clock; where your brother and I, with all our servant men, and others we can muster, shall march to them; and, if the God of heaven will, they shall either fight or go out of the parish. But alas! there is no parish about us will do the like; which discourages our poor handful. Yet if all the heritors in the parish be loyal and stout, we will have 500 men and boys who may carry arms. I have written to your nephew, the treasurer of Edinburgh, to send me two brass hagbutts if found, and that by the bearer. If they come next Saturday, I will have them with us. My love, present my humble duty to my Lord Marquis of Montrose, and my Lady. Likewise all your friends. And, my blessed love, comfort yourself in this—if the fanatics chance to kill me, it shall not be for nought. I was wounded for our gracious King; and now, in the strength of the Lord God of heaven, I'll hazard my person with the men I may command before these rebels rest where ye have power. Sore I miss you, but now more as ever.

On Monday the 14th your brother, the bailie, and I rode into the town; and I called on the Provost, who came to Lady Margaret Hay's to me. He promised to guard the ports, Saturday and Sunday next, to keep in the rebels. The Sheriff was away to Edinburgh, else I had spoken to him, that he would charge Balgowan and Tippermallo to cause them assist us. More of this you will hear the next week. This is the first opposition that they have encountered, so as to force them to flee out of a parish. God grant

<sup>1</sup> *i.e.*, the terrified minister of the parish.



it be good hansel. There would be no fear of it, if we were all steel to the back.

My precious love, I am so transported with zeal to beat the Whigs, that I almost forgot to tell you, my Lord Marquis of Montrose has two virtuous ladies his sisters, and it is one of the loveliest sights in all Scotland their nunnery. I see many young gentlewomen there, helping them to close a very fine piece of sewing.<sup>1</sup> Our honest Bishop Lindsay is laying sick of the gout in his knees, and down to his foot. He was heartily remembered to you. So is all I meet with. I wrote to you formerly to expect me up if ye would not come. Now, I have engaged with the conventicles, from whom I will not flee. I know you will allow me to do what I can to suppress them. I'll do good will. God give the blessing, is the prayer of your

ANNE KEITH.

METHVEN WOOD, the 15th instant, 1678.

This was followed by :—

LIFE OF MY LOVE,—I wrote to you the 14th instant,<sup>2</sup> of the surprising rencounter I had with an intended field-conventicle in our parish, which was the first, and I hope shall be the last. My hansel was not good for them ; for Ballechin,<sup>3</sup> with my Lord Marquis' men, chased them off Lawhill above Colluthier. He desired our bailie of your Regality to assist ; which I sent, and your man Speidie ; the one upon the stoned horse, the other upon the stage. They got a sore day's tussel amongst these Ochil hills. The Athole men got sore travel, but they went laden home with less or more. It is a grievous matter we dare not draw their blood, yet must disperse them. How should that be, if they come well armed to fight ? The acts against them are, for and against ; riddles<sup>4</sup>

<sup>1</sup> The heroic lady had not forgotten her own gentler avocations.

<sup>2</sup> It was on the 15th of October that she had written.

<sup>3</sup> Stewart of Ballechin, in Strathtay.

<sup>4</sup> The riddle, for instance, of the act 1670, which made it death merely to preach at, or to be accessory in holding, a field-conventicle,—an absurd *brutum fulmen*, which every one

indeed not easy understood. My love, if every parish were armed, and the stout loyal heads joining, with orders to concur, and liberty to suppress them as enemies to our King and the Nation, these vagine gypsies would settle. My most precious, upon the 17th day I was present at our court, where the pitiful ignorants that had been with them were fined, and bound to obedience in future. Next, all your tenants, with what more would answer, were ordained to compear at the West-wood by 7 o'clock on Sabbath morning, with the best arms they had, under pain of ten pounds. I sent to Tippermallo, who granted me his men. I sent to Balgowan, the bailie, to require his assistance, who even-down refused his men; and declared, if the conventicles were at his gate, he would only protest against them, and no more. Honest Provost Hay came to see me on the Saturday, and at my desire wrote an order for all Bachilton's ground. Busbie sent order for his; so all the most part convened in good order. They were kept there till Ballechin sent to me intelligence that we might go to the church. We have good will to keep the parish free, but want arms for two-thirds of our men. What was provided was most part borrowed from the neighbouring parishes. All that is done, or can be done, will not stop them, except other acts be made, and a more severe course taken. None of this family, and specially I, can go any way without weapons. The spirit of revenge boasts against me for beginning their dispersion in this parish. My love, there are forces lying in Kinross and Falkland, who have chased many up to Strathearn. They are commanded, as Captain —— reports, to pursue them no farther than Fife marches. So we are exposed to the hazard, and must pay for it to those who will not help us! My dear, how shall this part of Perthshire oppose this unruly multitude, who keep close where they intend to meet, and we have neither arms, nor allowance to keep men to wait for them? If the noblemen and gentlemen had command, and allowance to maintain men to wait for them, we would be known as daring

knew to be such, and which, instead of being illustrated by a single practical example, was followed up by every species of forbearance under very trying circumstances.

a loyal people as should be in this nation. I know my love will laugh at me ; but it is generally known to be truth.

The next letter, which is unsigned, proceeds :—

METHVEN WOOD, *4th November, 1678.*

Athole's men, that Ballechin commanded, frightened the conventicle more than all the soldiers under pay. Such a terror they have got that they have had no meeting on this side of the Earn since that day I banished them, which was the first time they entered upon any property on this side of the Earn. It is said the Bishop of Galloway, to make true his letters, had hired them to begin at you. There is much envy and hatred for crossing the conventicles ; but no encouragement to a faithful true-hearted subject. Our Governors are made up of Machiavel's principles. We look for peace this winter, since loyal Argyle lets the Macleans lie. But if they yoke, be sure of all malcontents taking the opportunity. Our kind Provost and Dean of Guild Glass were at the Archbishop of St. Andrews for keeping the town's liberty of choosing a new minister. He was very civil to them ; and after he had tried at the Provost all the way of my proceeding against the conventicle, which was truly repeated, the Archbishop drank my good health, and said the Clergy of this Nation were obliged to me.<sup>1</sup> But it

<sup>1</sup> Mr. Sharpe has also printed in his Notes to Kirkton the following letter to this gallant and loyal lady, from the doomed Archbishop, who was murdered a few weeks after its date :—

TO THE LADY METHVEN,

ST. ANDREWS, *17th March, 1679.*

MADAM,—I had the favour of your Ladyship's letter, signifying to me your desire that Mr. John Omev, who is a good man and worthy minister, and shall be ready to go along with your husband the laird of Methven his design in reference to him. I am glad to find that your husband, a gentleman noted for his loyalty to the King and affection to the Church, is so happy as to have a consort of the same principles and inclinations for the public interest, who has given proof of her aversion to join in society with separatists, and partaking of that sin to which so many of that sex do tempt their husbands in this evil time, when schism, sedition, and rebellion are

was the Lord God's doings, who made me His instrument; praise, honour, and glory be to His great name.

The following letter, dated 16th December, 1678, concludes the correspondence :—

The conventicle is every Sabbath at Thorniehill again. We have most part of the shire paid the first terms supply, and as yet we hear of no forces coming to suppress them. If they come back to us, in obedience to you, and loyalty to my gracious King, they shall go *waur away* than they did the last time, I being better provided of powder and lead ; and all except Balgowan is willing to follow me in so just a pursuit ; though I have got no thanks from the Council, neither is any parish commanded to do the like, yet my duty and love to his Majesty shall encourage me to be *singular* against a powerful enemy, as they are in this nation.

We shall conclude this chapter by the following lines, which were reproduced in Camden's *Britannica* :—

By villages, by towns, by Perth thou runnest great Tay amain  
The riches of this city doth all the realm sustain.

This is probably another version of Alexander Neckham, from an English writer in 1215, who paid the following compliment to Perth :—

Great Tay, through Perth, through town, through country flies,  
Perth the whole kingdom with her wealth supplies.

gloried in, though Christianity does condemn them as the greatest crimes. Your ladyship, in continuing the course of your exemplary piety, and zeal for the apostolic doctrine and government, shall have approbation from God and all good men ; which is of more value than a popular vogue from a humorous silly multitude, who know not what they do in following the way of seduction. You are commended to God's grace in truth and peace, by, honoured Madam, your humble servant,

ST. ANDREWS.

## CHAPTER XI.

### TOWN COUNCIL RECORDS.

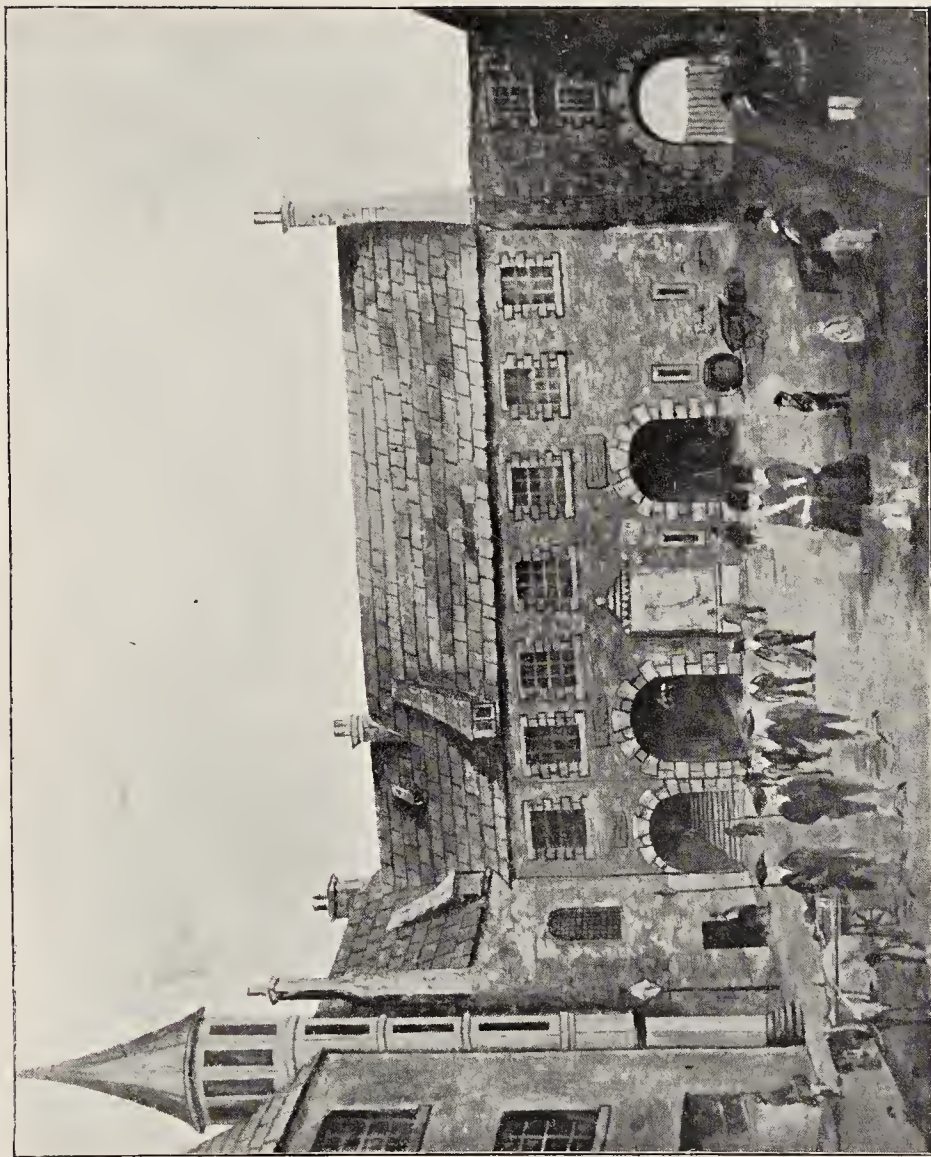
The Sheriff of Perth orders certain persons to be executed—The Provost ordains thieves to be hanged—Two Provosts elected for the Burgh—The twelve Burgesses who sat in the Tolbooth with the Provost and Magistrates—The Magistrates appear before the Lords of Session to explain their book-keeping—The Regent appoints Ruthven to be Provost—Abolition of Craftsmen as Councillors—Seizure of the Blackfriars property by the Town Council—Election of Magistrates by the Queen—The King in 1572 elects the Council—Greyfriars authorised as a Burying-ground—Expulsion of the Town Clerk by physical force—Council refuse to recognise the King's nomination of Councillors—The Dean of Guild assassinated in the streets of Perth by a Burgess, and the Burgess hanged—The King's characteristic visit to Perth after he assumed the English Crown—The Town Council call a Minister—The Town Council reformed and reconstituted by the Convention of Burghs.

A VALUABLE source for the history of the Ancient Capital is the Town Council Records. They include many historic incidents and many illustrations of the civic administration of former days, while they undoubtedly throw a flood of light upon the social and political life of the town, and even upon not a few obscure points in our national history. It might almost be said that without these our local records would be poor indeed. The Ancient Capital, however, is not quite in that position. Notwithstanding these records its



history otherwise is one of the most remarkable that is to be found. Its sieges and surrenders, its conspiracies, its rebellions, its ecclesiastical battles, and its startling record of crime, give it a position in our national history that is quite unique. We do not appear to have any Council Records before 1431. The first matter of paramount importance which occupied the attention of the Council at that time was the question of the right of burial in St. John's Church. It would appear that an official agreement was concluded between the Abbot of the Monastery of Dunfermline and the Provost and Magistrates of Perth, dated 20th July, 1440. These we have fully referred to in Chapter IV. on St. John's Church. In 1421 a charter was granted by William, Lord Ruthven, disposing a common to the town (Burghmuir). This was ratified in 1422 by his son John of Ruthven, and in 1458 confirmed by Patrick, Lord Ruthven. It is evident from this that the town acquired the Burghmuir from the Ruthven family, and have ever since held it. It was used on many occasions as a place for the execution of criminals.

In 1469, Parliament, on account of the amenity of the burgh being yearly disturbed at elections by the noise and clamour of the multitude, ordained that no magistrate should sit longer than one year; that the old Council should choose the new; that they together should nominate a provost, bailies and dean of guild; each craft yearly electing one of their number to vote at the meeting. During the next half century we have no entry of any moment in the Council Records.



To face 332

### THE OLD COUNCIL CHAMBER AND TOLBOOTH

On the walls of the Tolbooth were these words :

*This House loves peace, hates knaves, crimes punisheth,  
Preserves the laws, and good men honoureth.*



Passing on to 1522, we find that the Sheriff of Perth at that period possessed much greater power than the Sheriffs of to-day; *e.g.*, before Sheriff Chalmers and a jury of seventeen persons in the Court-house of Perth, Margaret Lockhart was convicted of stealing from John Ramsay's wife a silver bell, and for being a common thief, and was sentenced to be drowned under the water till she be dead. In the following year it was ordained that none of the Council nor deacons of crafts in future make private subscriptions at the instance of any person, unless the whole Council are convened, or the most part thereof, and the matter openly discussed. This was considered to be for the common good. On the same date it was ordained that salt was not to be sold by the merchants, but to be exclusively in the hands of the "Gild Brethren." This law was strictly observed.

Amongst the corporal punishments formerly in use, the pillory was frequently resorted to. It was erected near the foot of High Street, and was attached or fixed to a stone in the centre of the street, and surrounded by a flight of steps. On the top of these stood the culprit, with his arms tied with ropes, from which hung a halter by which the hangman led him. An iron hoop, which was fixed on the top of the pillar, was then fastened round his neck, and there he stood for an hour bareheaded, with a label on his breast in large characters stating his crime. On some occasions men and women were tied up together, and if the mob thought they deserved punishment they were pelted with rotten eggs.

Down to the year 1800, in addition to a drummer the town had a piper. His uniform was a scarlet cloak with wide sleeves and white cuffs. His principal duty was to go round the town every morning at five o'clock and arouse the lieges. There was frequently an evening performance at seven o'clock for the people's amusement. It was not intended that these men should give more than a few hours daily to the work, except when special events occurred.<sup>1</sup>

In the exercise of the Provost's jurisdiction as Sheriff, Provost MacBreck in 1524, by the verdict of the assize, condemned John Hutchison to be hanged for breaking proclamation made upon him when banished this burgh, never to return under pain of death, and for stealing wool and for being a known thief: also John Paterson, for stealing two cows, which he sold to a flesher, and for being a known thief. The same Sheriff, in the same year, by an assize of fifteen men, convicted and sentenced John Brown to be hanged for stealing a cow from William Williamson near Falkland, and for being a common thief. He also condemned John Butcher to be hanged for stealing a grey mare, and for being a common thief. These, it will be observed, were serious times for breakers of the law; doubtless the state of crime was serious too, but notwithstanding these severe sentences, the crime of stealing grew apace. Passing on to 1530, we notice that a distinguished dignitary, Sir John Marshall, was that year elected Master of Works for the town of Perth. This is the first appointment of a Master of Works

<sup>1</sup> Penny's Traditions.



that appears in the Records. In 1534 there was a great battle for the Provostship, and a singular coincidence occurred. Two factions were exercising authority in the burgh, and two Provosts were elected. The town was small at that date, and this event created great excitement. Alexander Blair, one of the Provosts, appealed by petition to the Lords of Council and Session. Both Provosts were ordained to appear before the Lords, when the following deliverance was given :—

Anent the petition of Alexander Blair, Oliver Maxton being Provost, the old Council met and chose a new Council, and thereafter put the office of Provost on Alexander Blair against his will, but he accepted. Nevertheless, Alexander Lindsay, David Blunell, and Henry Malcolm chose John Donning to be Provost, to make division and strife among them to their great hurt. Lindsay and his supporters raised summonses before Donning, and got Blair removed from the Provostship. The Lords decreed that Blair should enjoy his office of Provostship for the present year, Alexander Lindsay, Walter Bryson, Thomas Jamieson, Henry Malcolm, and James Piper to be bailies, Oliver Maxton and others named to form the Council.

Provost Blair was ordained to take the oaths of these, and cause them to be sworn in as usual ; and so this remarkable election of two Provosts was adjusted.

The first business of the new magistrates was to execute a tack for five years in favour of William Anderson and spouse of a quarter of the Common Mills of the burgh in consideration of the sums advanced by them for behoof of the Provost and Magistrates. This seems a peculiar transaction, and not a little extraordinary, but we must remember

that in those times there was no regular system of taxation. Shortly after this, in 1535, we have a characteristic entry. It was ordained by the Council that the best twelve persons, expert and famous men, should be chosen to sit weekly in the Tolbooth with the Provost and Magistrates, as assessors, every Tuesday and Thursday from nine to twelve for the common weal of the burgh, asserting the King's authority and for the administration of justice regarding all common actions. Each of these twelve burgesses was ordained to have a yearly fee paid to him by the treasurer; each burgess when absent to be paid no fee for absence, but his fee to be divided among those present. We have no record as to how this scheme was carried out, or whether it was carried out at all, but it indicates that the office of Councillor at that date was no sinecure. The bookkeeping of the Council at that period was in a very primitive condition, so much so that the Council scarcely knew where they were or what was their financial condition. This came to the knowledge of the Edinburgh authorities, and we find that in August, 1535, the Provost and Magistrates were commanded to appear before the Lords of Council and Session at Edinburgh with their rent books and books of account, that it might be ascertained what was the amount of the common good of the burgh available, how the same was spent, and in whose hands it rested; so that the Lords might provide a way how it might be brought to supply the works of the burgh according to Act of Parliament. Henry Malcolm and Henry Bryson, bailies, and John Bryson, treasurer, appeared in obedience to the command. They stated to the Court that their accounts had not

been audited for at least two years, therefore they could not produce their books. The Lords ordained the Provost and Magistrates to appoint six honest men from the Council, three honest merchants not of the Council, and three honest craftsmen, to be auditors of their books and accounts; these to be sworn to sit with the Provost for auditing the accounts of the town for all years by-past, and to set all general taxation and contributions of the community yearly, provided that no person who owes an account to the town or has intromissions with the common good be auditor of the accounts. The Treasurer is to audit the Dean of Guild's accounts, and the Dean of Guild the Treasurer's accounts, and to certify the same between this and the feast of Michaelmas next, and to produce the said account books and rentals before the Lords on the 26th November next, so that they might decide how the Common Good should in future be allocated. This would appear to have been the beginning of direct taxation in the burgh, and the entry therefore is of some importance.

Under date 24th March, 1536, there is a curious entry:—"Lord Ruthven ordained that John Charteris of Kinfauns, formerly Provost, was not to come within the burgh, nor hold office or dignity within the same, on account of the crimes imputed to him." This decree was revoked by the King. In 1540 an ordinance was passed by the Deacons and Craftsmen, with consent of the Provost, that any craftsman who disobeys his deacon shall pay a stone of wax to St. John's altar, and forfeit the right to his own altar without forgiveness; all craftsmen's sons to be entered free, except a collection to his craft as usual. On 16th November, 1541, the Provost, Magistrates, and

Deacons of Crafts met, and had under consideration the exorbitant drink silver taken in the past by the bailies for the multures of the Common Mills. They ordained that in all time coming the bailies shall have but 20 per cent. of the multures; the weigh-house 20 per cent.; of the small costumars each bailie 20 per cent., and the clerk the same; of the small multures 20 per cent. among the bailies, and 5 to the clerk.

In 1540 there was a remission to Thomas Blair of Balthayock, for treasonably abiding from the army at Solway; and in 1549 Thomas Blair and Thomas, his son, found security to underlie the law for the slaughter of Henry Dempster and six others. In 1562 Thomas, Alexander, William, and Patrick Blair of Balthayock, with forty-six others, found surety to appear for the slaughter of Alexander Kerr, burgess of Perth, and other crimes stated in the indictment. The brevity with which these actions are recorded, and specially the absence of the reasons which led to such disgraceful conduct, render criticism impossible.<sup>1</sup>

*26th January, 1543.*—Alexander Macbreck, Provost of the burgh, having authority from the Lord Governor to elect bailies and other officers, he with the advice of the Council and Deacons of Crafts chose Thomas Fleming to be Dean of Guild, Andrew Robertson bailie in place of Andrew Rhynd, Dean of Guild, and James Rhynd his brother one of the bailies, because for certain reasons the Lord Governor (James Hamilton, Earl of Arran) and Lords of Secret Council imprisoned the said dean and bailie.

<sup>1</sup> The first Blair of Balthayock was Patrick, son of David Blair, who swore fealty to Edward I. in 1296. He obtained a charter of the estate of Balthayock from the Superior, Nicholas Erskine, Lord of Kinnoull, in 1370.

15<sup>th</sup> April, 1544.—Mary (Regent) to the Sheriffs of Perth, Forfar and Fife and the Provosts and bailies of Perth and Dundee:—We are informed that Thomas Charteris of Kinfauns, John Charteris of Cuthilgourdie and their accomplices to the number of eighty persons are denounced rebels and put to the horn for divers crimes committed by them also for raising troubles and seditions within these Sheriffdoms. We charge you to pursue and apprehend the said rebels and bring them to law, to seize the houses where they are and to raise fire if necessary; and if any are slain you shall incur no danger. They are to be punished with all rigour as an example to others.

In 1546 the Council required an obligation from William, Lord Ruthven, Provost, that he would not come within the loft house where the common chest lies, nor touch the writings therein during that year. What the reason was for requiring this curious obligation is not recorded. The following year sentence was pronounced by John Spittal, official of St. Andrews, annulling the marriage of Margaret Ross, daughter of John Ross of Craigie, and Andrew Murray, son and heir apparent of David Murray of Balvaird, they being within the fourth degree of consanguinity. This is a question that was carefully watched in those times, particularly if it involved property rights.

William, Lord Ruthven, was appointed Provost by the Regent in 1551. The Council took a protest against this, and requested that it be not a precedent. Great dissatisfaction was felt at the election and at the Regent's interference. At this period, and for long after, the King claimed the right of electing the Provost of Perth—a right which was frequently resented by the Council. During the time



the King exercised this prerogative, the office was usually held by a county gentleman. From the antiquity and importance of Perth, and its being the ancient capital of the kingdom, the King evidently exercised control over all municipal elections. In the same year the Deacons of Crafts resolved that all deacons should be present, and vote for the election of Provost and Magistrates, so that the same should be protected; the elections and vote of three principal deacons allenary given at the time not to be prejudicial to the remanent deacons in time to come. In 1554, there was an act by the Magistrates and Council and Deacons of Crafts nominating Patrick, Lord Ruthven, to be Provost of Perth for the space of seven years; they to renew the same yearly at Michaelmas during that period, and that in consideration of his former good services and zeal for the welfare of the burgh. This is the Lord Ruthven who was one of Riccio's murderers. He had evidently rendered good service to the town when the Council gave him a lease of the Provostship for seven years, although we have no details, excepting that in 1547, when Master of Ruthven, he was elected Provost. It was his father who was Provost in 1551. In the election of deacons the Regent, in 1555, ordained that none be chosen in future, "but that the Magistrates and Council will choose the most honest craftsmen"; these were to be designated visitors of their craft, and to be elected yearly at Michaelmas by the Council; they were also to visit the craft truly and loyally without power to assemble them, or to have any private communication or making of statutes. All craftsmen in future were to be under the Magistrates and Council. No craftsman was allowed

to accept office without the burgh except two chosen by the Council, and these two were to be part of the yearly auditors of the accounts of the common good.

This radical change in the local government of the burgh was ratified by Parliament on 10th June, 1555, and the reasons which brought about the change are plainly stated :—

It has been understood by the Queen Regent and Parliament that Deacons and Craftsmen have been dangerous, and as they have used themselves in time past by gains have caused trouble and rising of the Queen's lieges in various places, as also by the making of leagues and bands among themselves and between burgh and burgh, all which deserves punishment.

From this Act of Parliament it seems a fair deduction that the Craftsmen themselves brought about this abolition of the Craft as a local authority. The Regent ordered that no deacons be chosen in future. Whatever may have been its effect on the burgh, it is evident it made the Town Council a more influential and independent body. The population of the town at that period is recorded as 6,075.

In 1560, after the Reformation riots, there was executed a renunciation by Colin Campbell of Glenorchy in favour of Patrick, Lord Ruthven, and the Town Council of Perth, of the Blackfriars lands and others adjacent to the burgh, and that "in consideration of the sum of 400 merks money of the realm to be paid betwixt this and Fastens 'een next and containing obligations by the Provost and others for payment of the same." This with Spartan brevity is the close of a great transaction. These lands were pretty extensive, and worth a considerable sum of money, and if the town acquired them at the nominal

sum of 400 merks, the lands were practically seized by the town as forfeited at the Reformation.

In municipal matters very lawless proceedings were going on in Perth regarding the persistent interference of the Crown authorities. The matter will be understood from the following entry in the Privy Council Register. Though this is as a rule an authentic source of information, it cannot always be relied on as thoroughly accurate, *vide* reign of Mary 1560-67. This was due to the corruption of the Court and the reckless way in which the Register was kept:—

#### ELECTION OF MAGISTRATES BY THE QUEEN.

DUNBAR, *2nd April*.—Understanding the furtherance and advancement of her Majesty's service and common weill of the Burgh of Perth, her Majesty lately directed letters for the election of William, Lord Ruthven as Provost thereof, and certain inhabitants as Bailie, Treasurer, Dean of Guild, and Clerk of the said burgh. On the 23rd April the Council, Deacons of Crafts, and most part of the community, convened in the Tolbooth thereof, and elected William, Lord Ruthven, Provost; Patrick Murray of Tibbermore, Thomas and Alexander Monypenny, Robert Patullo, James Moncrieff, Oliver Peebles, Andrew White, Alexander Gibson, William Cook, Walter Piper, Andrew Mercer and Patrick Justice, Councillors; and John Murray, John Anderson, junior, William Fleming and George Johnston, bailies; Alexander Oliphant, Dean of Guild; James Hepburn, Treasurer, until the feast of Michaelmas next; and Sir Henry Elder, Common Clerk for his lifetime conform to his former election. Certain factious and seditious persons, indwellers of the burgh, not only opposed the election, but created troubles that day, and continuing in their perverse condition, not only intending to upset the said election by raising proceedings before the Lords of Session, but also by stirring up parties within the

burgh to the annoyance of the inhabitants and to common weill of the realm. Therefore her Majesty ordains letters to be directed charging William Tyrie, Andrew Ramsay, John Maxton, Thomas Fenton, John Ogston, John Strathmiglo, Robert Chapman, Adam Blackwood to obey the command of the said letters in electing Lord Ruthven, Provost, and the other persons above named; or otherwise pass and enter themselves in ward within the Castle of Dumbarton, there to remain at their own expense until freed by her Majesty, under pain of rebellion and putting of them to the horn; and if that fails, to denounce the disobeyers to the horn, and to escheat, etc., and that within three days after the charge, and that the Secretary and his deputed keepers of the signet pass letters for their retention in ward within the said Castle; and also to command and charge the said William Fleming, George Johnstoun, John Anderson, junior, to accept the office of bailie; James Hepburn the office of treasurer, and Alexander Oliphant the office of Dean of Guild, and to give their oath for the due administration of their office until the feast of Michaelmas, within three hours after they be charged thereto. If that fails, the rebels to be denounced and put to the horn. And further to charge Sir Walter Ramsay, pretended Court clerk of said burgh, to deliver the town's books, court books, and scrolls retained by him at the said feast of Michaelmas last, together with the court books and scrolls made and used by him since the said feast. And the said Andrew Ramsay to deliver to the said Alexander Oliphant, Dean of Guild, the guild book and the persons aforesaid and others whose names shall be given in the roll to deliver to the Dean of Guild the keys of the vestry with the keys of the charter chest, and of all common houses of said burgh, with the common seal of the same within three hours next after the said Sir Walter, Andrew Ramsay and other persons above named be charged thereto, under the pain of rebellion, and putting disobeyers to the horn. And because her Majesty is credibly informed that the said disobedients and others their companions have made a league among themselves to resist the Provost and



bailies chosen by her Majesye's command tending to continual controversy within the burgh, contrary to the tenor of the acts of Parliament and that the bond is in the hands of Patrick Maxton, notary, knows the contents of the same. Therefore to charge Patrick Maxton to present the said bond or copy thereof, personally before her Majesty and Council, to answer upon the points and heads thereof, and such other things as shall be laid to his charge, within three days next after the charge under pain of rebellion, and if he fails, to put him to the horn, and escheat, etc.

The accuracy of this extract from the official Register it will be necessary to call in question. The Queen was not at Dunbar on the 2nd April, 1567, but in Edinburgh, and on the 23rd April she was seized by Bothwell, and carried a prisoner to Dunbar. In these circumstances she could have taken no part whatever in the excited condition of Perth, or in framing the ordinance we have reproduced. Her Privy Council was composed of men who were notoriously corrupt, and the Privy Council Register during her reign may be put aside as quite unreliable. This document, therefore, which must be regarded with suspicion, was evidently drawn up by these men without the knowledge of the Queen, and by them forwarded to Perth.

Among the rules that were strictly observed at Queen Mary's Privy Council meetings was the following: To ensure secrecy and prevent interruption, the macer stood outside the door and allowed no one to enter. If any nobleman or gentleman came to the door and desired admission, the macer knocked at the door, and one of the Clerks of Council would hear what was desired, and announce the same to the Lords. Thereafter the person would



get admission if he had any matter to propose. Silence was observed among the Lords till the speaker concluded, and he thereafter retired.

In the municipal election of 1572, there was evidently some local question which raised discord among the merchants and craftsmen. The election was appealed to the King, as these could not agree. The record states that there was great tumult and uproar among the people. The King, it would appear, ordained that last year's Council should meet in the Tolbooth and elect and choose the following persons to be the Council for the ensuing year. (Here follows a complete list, beginning with William, Lord Ruthven, Provost.) The said persons were ordered by the King to accept office. Intimation of this election was ordered to be given them within three hours thereafter. If any wilfully absented themselves, the Provost and Treasurer were ordered by the King to nominate others in their place. In 1574, the first municipal election under Protestant influences is recorded, when the following were elected: William, Lord Ruthven, Provost; John Anderson, senior, Henry Addison, Dionysius Conqueror, and George Johnston, bailies; Oliver Peebles, dean of guild, Thomas Monypenny, treasurer (and list of Councillors). All were sworn, and professed the true religion of Jesus Christ, renouncing all idolatry and superstitions and popish errors whatsoever, and acknowledging James VI. as King. Assuming the accuracy of this entry, it would appear that notwithstanding the destruction of the monasteries in 1559, the question of Popery did not turn up as a factor at the election until 1574. This seems extraordinary, but doubtless the Council Record is right.

In 1580 Greyfriars was authorised by the Town Council as a burying-ground for the community. In the same year there was an agreement between the Council and Provost, Lord Ruthven, that the Provost of Methven's vennel at the east end of South Street be given up to Provost Ruthven, and his lordship in lieu thereof undertook to make another vennel leading to the river, of ten feet wide. This agreement was recorded in the Red Book of Perth. The King, having been informed that the Magistrates and Town Council repaired to Ruthven Castle on his detention, at the Raid of Ruthven, by command of Charles Geddes, lieutenant of the guard to the King, in an official communciation, dated Falkland Palace, September, 1584, thanked the Provost, Magistrates, and Council, and inhabitants generally for repairing in arms to Ruthven immediately after the said treasonable act, and keeping watch there. "They have done the duty of good, true, and faithful subjects ; services tending to the security of the King's person and estate, and meriting good recompense and reward." The King promised to gratify them therefor as soon as an opportunity offered. This incident of the Magistrates and Council appearing in arms at the Raid of Ruthven is not mentioned by any historian. In our local annals the Raid of Ruthven is an event of considerable moment, though still wrapt in mystery. It was carried out by the Provost of Perth, William Lord Ruthven, the Earl of Mar and their supporters, and resulted in Ruthven seizing the King and keeping him a prisoner at Ruthven and Stirling Castles for ten months, for which crime Ruthven was afterwards beheaded. On which side did the Magistrates and Council range themselves when they appeared at this

remarkable scene in arms? It seems evident from the King's letter that they opposed their Provost and took the part of the King, assuming the statement to be true that they were present. It is to be regretted that in connection with this event the attitude of the Magistrates and Council should not have been clearly defined and placed beyond doubt. This William, Lord Ruthven, first Earl of Gowrie, was the most cruel and despotic member of the House of Ruthven, and fully merited his doom, the extreme penalty of the law.

The next event of importance in the Town Council is the expulsion of the Town Clerk by physical force. Archibald Blinsell was Town Clerk in 1586. What length of time he held office is not recorded, or whether he discharged his duties satisfactorily, but it is evident before he had done with the office that he had a rough time of it, as we find from the following entry :—"Decree of absolvitor in favour of John Maxton, George Johnston, and others, in the action against them by Archibald Blinsell, burgess, for depriving him of his office of clerkship of said burgh, and for dragging him out of the middle door of the Tolbooth." This entry is not without a touch of humour. Maxton and Johnston were not Magistrates, but were evidently Councillors. Johnston was elected Treasurer in 1587. Whatever were the Town Clerk's faults, these men were wrong to remove him forcibly from the office by dragging him out of the middle door of the Tolbooth. The incident must have afforded amusement at the time, and it is unfortunate we have no details. It was doubtless the result of a stormy debate in the Council Chamber. In this year of grace 1903 we do these

things differently! The following year the Council was again in the throes of an excited election, and the King had to interpose his authority. In the first stage of the matter the Council refused to listen to any command of the King, and proceeded to the election of such persons as were factious, and who intended to apply the common good of the burgh to their own private use, for which they had already been summoned to the Privy Council. These men were—James Hepburn, Provost; Alexander Oliphant, Patrick Blair, James Adamson, William Hall, bailies. The King said: "They have done manifest wrong, and have disregarded authority; the leaders have been consigned to the castle of Blackness, where they presently remain. We hereby annul the election, and discharge the persons elected from accepting office. We command the Magistrates, Council, Deacons of Crafts, and others having weight in the burgh, to convene and elect the following Councillors—James, Earl of Gowrie, to be Provost. (Here follows the list of names.) If they fail, they are to be denounced as rebels, and put to the horn." This communication is dated Holyrood, 16th October, 1587. Young Gowrie died while he was Provost, and John, Earl of Atholl, succeeded him. The nomination of the Councillors by the King we should think an extraordinary occurrence, but it was evidently not so considered in the reign of James VI. Some time after this election, and when the excitement had died away, the town had under consideration a financial question—the grazing of the Inches. It was dealt with in a different way from what now holds good. A tack had been recorded in 1592 by the Provost and Magistrates to David

Rhynd, flesher, of the grass of the North and South Inches, for the space of five years, for the sum of 1200 merks Scots. There was also a tack by the Provost and Magistrates to Andrew Malcolm, baker, setting forth that for the relief of the poorer inhabitants of the burgh the composition to be collected by them and paid to Robert Bruce of Clackmannan, for attacking him in a warlike manner at Gasconhall in August, 1592, it had been thought expedient that the mails or multures of three-fourths of the Common Mills of the burgh be uplifted beforehand for a period of three years. Therefore they let to Andrew Malcolm the eighteenth part of the mills in consideration of £372 4s. 5d. money of Scotland. This transaction will be better understood by referring to Chapter XIII., where is recorded an extraordinary midnight outrage, committed by the Magistrates and Council on Robert Bruce and his family at the house of Gasconhall, adjacent to the village of Rait.

The removal of the Scottish Capital to Edinburgh in the fifteenth century raised the question of the official position of Perth in the Council of Royal Burghs. This was settled by a decree of James VI., 30th May, 1594, as follows:—

TO THE EARL MARISCHAL,—It is our will, and we command you that the place of Perth is the second place next to our Burgh of Edinburgh during the whole time of this Parliament, and in time coming that they may have the priority—first rank, place, and vote before the Commissioners of Dundee, according to their antiquity as they will answer to us.  
JAMES R.

The order of the burghs in the Roll of the Convention now stands—Edinburgh, Perth, Dundee,



Aberdeen, Stirling, Linlithgow, St. Andrews, Glasgow and Ayr.

One of these atrocious events that manifests more than anything else the lawless spirit of the times occurred evidently on the streets of Perth on 10th April, 1598. The Council record is conspicuous by its brevity and the total absence of details. The event was the assassination of Henry Adamson, Dean of Guild, who is reported to have been slain by Thomas Peebles. For this crime Peebles was hanged at the Mercat Cross of Perth on 30th May thereafter. There had evidently been a deadly feud between these unfortunate men, and some details might have been given.

The following communication (condensed) was addressed by James VI. to the Provost and Magistrates:—

Having proof of your loyalty and affection, we have no desire for any change at the approaching election, and therefore desire you with such of your neighbours as have a vote in the election of magistrates to continue in your respective offices whereby we may have further testimony of your good will, honest duties and service, so we commit you to God.

JAMES R.

BRECHIN, *7th September*, 1600.

This was a month after the Gowrie Conspiracy, when the attention of the King ought to have been occupied by much more serious matters than a municipal election if, according to his own narrative, he was the victim. The Dean of Guild in 1601 was ordered to convene the Guildry to inquire if they knew the author of the infamous libel against William Cowper, minister, and Henry Elder, clerk, calling them "sair sancts to this pair toon." The

Guildry replied in the negative, but Henry Balneaves Deacon of the Fleshers, and William Jacob, burgess, two well-known public men, confessed they were the authors. Cowper, though a minister, was an unprincipled man, and at the Gowrie Conspiracy made himself notorious by his false evidence.

On the 13th April, 1601, the King, as already stated (p. 78), visited Perth and was made a burgess at the Mercat Cross. The Town Council ordered eight puncheons of wine to be set there, in order that the community might joyfully entertain the King on such an auspicious occasion. The King entered heartily into the rejoicings, accepted the banquet, drank freely of the wine, and thereafter inscribed his name in the Guildry Book.

In the same year the Deacon of the Bakers was censured for accusing the Provost and Council of partiality. Censure was also passed on James Corbie for imprisoning the Dean of Guild, the former being fined in a sum given to the Brig o' Tay. The Council resolved to meet after prayers to audit the treasurer's accounts. Absentees to pay ten shillings. Orders were given to send the officer round the town to warn all idle vagabonds to go furth of the town, and the ports to be shut every night at the ten hours' bell. In the following year orders were given to the bailies to put a lock on the Lords' Seat (St. John's), and to suffer no scholars to sit thereon, but only gentlemen. Thomas Cochrane was instructed to prepare his house and a supper against His Majesty's coming, and if the Master of the Household pays him not, the Council is to do so.

The Council, in 1603, gave orders to pay spice and wine to the Sheriff on the occasion of His Majesty

being proclaimed King of England. Dionysius Conqueror was ordered to be put in ward until he pay £12 unpaid in the treasurer's accounts. The former was a prominent citizen, and the sum owing was doubtless arrears of taxes. The Council ordered the drum to be sent round to intimate, in the King's name, that the inhabitants were prohibited from sheltering anyone of the surname of Macgregor, as they were denounced rebels; further, to prohibit any one from going to Kinross market without a license. The authority of the Council was supreme, and any disregard of their order, however arbitrary, would have been a serious matter for the offenders. We happily live in an age of civil and religious liberty, when the local government of a municipality of 30,000 is simplicity itself compared with the government of 6,000 in that period, with its feudal laws, its barbarous customs, and its despotic rule. Liberty was restricted, punishment unrestricted: life from some points of view was scarcely worth living.

On 10th November following the Council let by public roup the customs of the Highgate, Castle Gable, Brig o' Tay, and South and North Ports, timber market, flesh and fish boards, fishings, Blackfriars Croft, and the four Common Mills, and in the same year the King issued a curious proclamation, prohibiting the eating of flesh on Wednesdays, Fridays, and Saturdays. On 5th March, 1604, a decree was issued fining certain persons for employing other mills for storing and grinding grain than those of the town. In the same year the Council gave orders to send a boy to Edinburgh, with a £6 piece to William Oliphant and a crown to Oliver Colt for defending the action against John

Malcolm. On 14th May following they gave an order to set up three gibbets, viz., one at the Brig o' Tay Port, one at the South Port, and one at the North Inch Port. This seems a most extraordinary arrangement. No doubt executions were common, but one set of gallows was surely sufficient for the executions recorded. On 12th June order was given to appoint a watch at the Monkstower ; one between South and Highgate Ports, where the walls were broken, and another between Dionysius Conqueror's yard and the Castle Gable Port. Some months after the Council granted an order to give Patrick Galloway (minister), on the occasion of the marriage of his daughter, two puncheons of wine, one white, the other claret, and fifty merks to be laid out in such confections wet and dry as should serve for the occasion, on account of his many good offices to the town. We commend this good old social custom to the Town Council of to-day. On the same date the Council ordered Thomas Ferguson, saddler, and his man to be put in ward for cuffing David Muckersie, and hurting him on the hand and head, until they pay £15. Midsummer Fair was ordained to be held at the usual time, the craftsmen to be in armour to go round the town, and the Council and the rest of honest men to accompany them. The Council at same time ordered the timber brig at the head of the South Inch to be taken down, and not to be replaced. A supper was authorised on the occasion of the welcome home of Sir George Hume, now Earl of Dunbar, the same to be in Agnes Robertson's house. The Council further ordained that no person within the burgh or suburbs go to any other town without a license, and that the inhabitants receive no stranger

in their houses, under a penalty of £40 Scots and banishment from the town.

It was also ordained to give John Bennet, carter, £20 to help him to buy a horse, he to lead stones to the brig till same be repaid: the Dean of Guild to purchase new Bibles of the best form and largest print for the reader to be used during Divine Service, the Bible containing the Old and New Testaments, a great volume, price £7. The Council in 1611 resolved to give William Cowper, minister, two puncheons of wine for his bridal, two dozen boxes of fruit, and a loaf of sugar. The following year orders were given to put in ward Gabriel Mercer and John Home his cautioner, till they pay the duty of the muir. This putting in ward was a common occurrence. It was ordered also to put Andrew Donaldson, skinner, in ward till he make free the common passage of the Castle Gable Port. Andrew evidently had property rights there which he declined to relinquish. John Ogilvie, tinker, was put into the thief's hole at the instance of Gabriel Mercer until he prevented his own wife from selling his goods and gear. In 1615 there was an obligation by John Scott, flesher, not to disobey the magistrates in future under pain of banishment from the town. The following year James Niven was ordered to be scourged because he feigned himself a cripple on his feet for these ten years. There was also produced a missive by the Secret Council for providing fed beef in view of his Majesty coming to town. The Town Council in 1617 authorised the treasurer to send wild geese and moor fowl to James Windham, agent for the burghs, for his daughter's marriage, in such measure as he thinks expedient. Early the following year there was a proclamation



of the King for a General Assembly to be held at Perth on 25th August. The Act prohibiting the inhabitants from being out of their houses after 10 p.m., except on lawful affairs, under a penalty of £10, having been often contravened, and the contraveners stating that they knew not the hour, the Council ordained that the great bell be tolled nightly at ten o'clock that in future none pretend ignorance. In 1613 the four mills, the Inches and fishings, belonging to the town were let to tacksmen, merchants, and craftsmen for nineteen years for defraying 40,000 merks of debt.

This year the King, James VI., who was now resident in London, decided to visit Perth, and the most elaborate arrangements appear to have been made for his reception. The most amusing thing was the speech to be made by the Provost, David, Lord Scone, or someone appointed by him, on the King's arrival. He received the following instructions from the Court:—

He was in name of the town to make his Majesty welcome and then in sensible and good language set forth his praises for innumerable comforts and blessings which the country has enjoyed both in its Kirk and police under his Majesty's most happy government; and lastly go as far as modesty will permit. He shall speak to the praise of the town both as to the antiquity thereof, the services done by the same to the Crown and Estates, the willingness of the inhabitants by their best endeavour to serve His Majesty in all and everything possible, and the constant and firm resolution of the town to continue in all dutiful obedience to His Majesty and his Royal progeny and successors in all time coming. This being the substance of the proposed speech, you shall cause it to be delivered in the best form that may be, and remitting same to your own grave

consideration in a point highly important to the credit of your town. We commit you to God.

This document was signed by the Chancellor Binning, George Hay, and Balfour of Burleigh.

This oration, as afterwards appears, was entrusted to John Stewart, merchant, who framed and delivered the address to suit the vanity of the King conform to the humorous instructions of the Lord Chancellor. In view of this visit of the King, the Council ordered the skimmers to provide for a sword dance, the baxters or bakers the Egyptian dance, and the schoolmaster and bairns a good dance to His Majesty. For this dance the skimmers were paid £40.

The Council had a great weakness for marriage presents, for we find that at a meeting on 14th July, 1617, there was an entry as to sums owing by the Dean of Guild, and 50 merks granted by the Council to help his marriage, conform to use and wont. In the matter of gowns for the Magistrates, there was a ratification of the act for fining those who have not gowns who were ordered to have them, in the sum of £40, and an order was given to the Magistrates to wear gowns in future. The Council in 1619 issued an order to ring the Council Bell the third time every Monday during winter, and to fine absent Councillors, as therein mentioned. The Dean of Guild in 1620 was nominated to be Moderator of Council. This was evidently an office for the convenience of the Provost, Sir David Murray, who could seldom attend the Council meetings. On 21st February, the Council, who were evidently very short of money, and who were responsible for the minister's stipend, gave orders to borrow money in order to pay this. From Martinmas to 30th January, 1624,

there was such a keen frost that the like of it had not been seen for many a day. There was a passage over the Tay on the ice. It is recorded that amongst the traffic carried on were eleven boats with twenty-one puncheons of wine which came over the ice from Dundee. From this date there are several uneventful years, and passing on to 1631, we find on 25th April of that year, five honest men's wives having appeared, it was laid to their charge that during the afternoon service they had drank *aqua vitæ* very extraordinarily. The women of Perth at that period frequently had gossiping clubs for their social amusement in the evenings.

In 1633 the Council issued an edict prohibiting women from wearing plaids during the visit of Charles I. They also made an allowance of 200 merks to the two boys who made the speech to the King and gentry. The sword dance was performed by the skimmers on a raft in the water opposite the Chancellors' Yard, before His Majesty and George, Earl of Kinnoull. The speech of the two boys was composed by Andrew Wilson. The Council in 1635 resolved to "burn vagabonds and idle beggars on the cheek." Candlemakers and brewers of *aqua vitæ* were to have their works in the most remote back parts of the town. An order was given that all the inhabitants between sixteen and sixty must appear on the North Inch in arms to attend the magistrates and their captain on the following Wednesday at 10 a.m. It is a curious fact that there are no Council Records from 1641-1652.

On 15th May, 1641, we have a somewhat humorous case recorded: "There was decret in an action by John Anderson, burgess, against John

Pitcairn, one of the magistrates, bearing that Anderson had first sued Pitcairn before the Magistrates, but that they had always postponed their decision. A process was therefore raised before the Commissary at St. Andrews, on which Pitcairn on the Sabbath day and at a time of a solemn feast caused three officers to seize Anderson when coming out of the kirk, and put him in prison. The Lords of Session, on the case coming before them, gave decret absolving Pitcairn."

When a vacancy occurred in the Church, the Council, who were the patrons, approached the Presbytery by petition. The negotiations on the subject are interesting. The following is a specimen of one of these petitions, and it will afford an insight into the practice of these days in the matter of the calling or translation of a minister :

*Supplication by the Provost, Bailies, and Town Council of Perth to the right reverend the Moderator and reverend brethren of the Presbytery of Perth sheweth :—*

That whereas the place of minister being long vacant through the removal of our late pastor, whom through your wisdom has been put to much trouble and pain by the various and oft renewed debates betwixt us on the part of our session. Now at last we have unanimously fallen on the choice of William Colville, and according to our interest have issued a call for that end either upon knowledge and certain information of the man's singular and godly conversation and ability to deliver the word of truth aright to us. And therefore we have ordained our well beloved friends the members of the Council—Andrew Butter, Provost, the Dean of Guild, the Deacon Convener, the Deacon of the Glovers, to attend your meeting to-morrow, and to present this our call to your wisdom, earnestly entreating you will concur and assist us to get Mr. Colville to be our minister. And for that



end that you appoint one of your number to go along with our commissioners to signify your wisdom to receive him as one of your ministers and that without further delay ; feeling delays have already been numerous and are very dangerous in the nick of time. In doing of which you will do yourselves no small favour, glorify God, and oblige us. We are, etc.

The date of this paper would be about 1650.

On 5th August of the following year, Provost Threipland announced that he had been making search for a "prettie man" to fill the vacancy in the ministry, and that he had met such a one, Alexander Ross. His ordination took place on 4th November, when sermons were preached by Hugh Ramsay, Provost of Methven, and thereafter the Presbytery and Council dined in Alexander Cruickshank's house.

The collection of the town's revenue was in these days attended with great difficulty, and in 1653 the Town Council were obliged to record the following edict :—

Considering the statement of arrears given up by the several treasurers since 1640 as due by the aftermentioned persons of their tack-duties of the common good conform to the acts of rousing, and finding a desire in the said debtors for ease and consideration thereof, the Council appointed Andrew Butter, provost; John Paterson, Dean of Guild; William Rioche, bailie; Patrick Ross, Hew Nicoll and Mr. Harry Cheape, councillors; and Matthew Henderson, deacon; to be auditors of the accounts to deal with the debtor's reasons and determine what should be done, and to report their diligence within weeks. These persons having accepted the appointment, cited the parties, heard and dealt with their reasons, and persuaded them to submit to the Council's dealing, which they willingly consented to



do and signed their submissions. Accordingly the aforesaid auditors, after the consideration of the several cases, gave in their report and recommendations on 28th February 1653, which the Council approved, and ordained the persons following to pay presently to Alexander Jackson, treasurer, the respective sums aftermentioned, viz :—

James Dykes, merchant burges of Perth, including "the duty of the pynnorie," . . .	£354	5	0
John Forrest, customer for the Bridge of Tay in addition to Robert Jackson, baillie, his 200 merks, due by Forrest, . . . . .	100	0	0
John Butter, maltman, for "the pynnorie," . . .	100	0	0
David Jackson, maltman, . . . . .	66	13	4
John M'Clairine of the Highgate port, . . .	26	13	4
David Morris of the Castle Gable port, . . .	143	6	8
Robert Burnemane for "the pecks," . . . . .	53	13	4
John Boig, glover, for the Castle Gable port, . .	40	merks	
James Young of the Southgate port, all service and fees allowed, . . . . .	40	0	0
John Schioch's bairns, . . . . .	200	0	0
William Powrie for the flesh boards, . . . . .	16	0	0
Patrick Hamilton for the flesh boards, . . .	13	6	8
John Robertson, merchant, Bridge of Earn, . .	100	0	0
John Paterson, Bridge of Earn, . . . . .	20	0	0
Agnes Duff, for teind, . . . . .	16	0	0
George Durie for the Highgate port in 1645, . .	66	13	4
Alexander Pullar for the Castle Gable port in 1646, and his cautioner Thomas Nairne, . .	25	0	0

Here follows minute of approval by the Town Council and order to pay, with certification.

In 1657 the Council ordained that any person who should hereafter be admitted as a burges and "gild brether," not having served his apprenticeship, who afterwards marries the daughter of a burges, shall pay therefor £100.

The matter of the reform of the Council and its future composition occupied a good deal of the attention of the authorities at that date. It was proposed that it should consist of twenty-six persons, viz., fourteen merchants and twelve tradesmen, excluding the wauker and weaving trades; the twelve

tradesmen to consist of one bailie, four councillors, seven deacons; the Provost to have two votes, and every second year a tradesman to be treasurer. The Convention of Burghs took the matter up and gave it very deliberate and judicious consideration. At a meeting of the Convention at Edinburgh on 10th July, 1658, we are informed that the trades declined to submit to its decision. "Compeared Andrew Butter, Provost of Perth, for himself and the magistrates and merchants, Patrick Crie, Deacon of the Skinners, and John Davidson, one of the Hammermen; and on behalf of the Craftsmen who produced several papers, petitions and replies in relation to the craftsmen's rights anent their number in the Council which being read and considered by said Commissioners, they found the number to be fourteen merchants and fourteen tradesmen or craftsmen: and every second year their treasurer being a craftsman makes them in voting one more than the merchants." The Convention for settling peace between the merchants and tradesmen of Perth, and for avoiding trouble in future, ordained the Magistrates and Council of Perth to consist of twenty-six persons, whereof fourteen to be merchants and twelve craftsmen; that the wauker and wabster trades shall not be of the number. Of the twelve craftsmen there were one bailie, four councillors, and seven deacons; and because every second year a craftsman would be treasurer there would only be three councillors, so that they would not exceed the number of twelve persons. The merchants to consist of fourteen, of whom the treasurer to be accounted one in the year when the merchant treasurer is chosen, and without prejudice to the Provost to have two votes according

to the accustomed manner, which made the votes of the merchants in the election of magistrates and Council fifteen: and that none be elected magistrates, councillors, or deacons but those who have been or personally are actual trafficking merchants, or have been actual craftsmen, without prejudice to either party to enjoy and possess all their rights and privileges as formerly. The Convention ordains this order to be inviolably kept in all time coming, under a penalty of £500 Scots. The burgh of Perth to report their diligence thereanent at next general Convention of Royal Burghs, and to be at the head of the next missive. Both parties accepted this order, and the same was entered in their Council books as a perpetual order.

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In the sixteenth and seventeenth centuries there was a rather famous well in the vicinity of Ruthven Castle, afterwards called Huntingtower well, widely known at that period for the supposed healing virtue of its waters. It was resorted to by a large number of people, with what results we do not know. The superstitions of the age would explain all that happened. The popularity of the well eventually led to the abuse of it, for in 1604 the Kirk Session convicted John Chapman of profaning the Sabbath day by going to Ruthven well to see profane dancing, and absenting himself from church, and he was admonished; and shortly after there was another conviction of six men and two women for the same offence, who were also admonished. The well is long since dried up.

## CHAPTER XII.

### TOWN COUNCIL RECORDS.

Register of the Provosts, 1666 to 1800—How the Town's accounts were audited in 1577, and the Treasurer clapped in the Tolbooth—The Incorporated Trades ; their origin and administration—The Ancient Craftsmen and Merchants Guild ; their exclusive rights and privileges ; their Festivals *Corpus Christi* and St. Obert's Eve—The Vatican Archives.

ON 1st December, 1666, a peremptory order was again given that all the inhabitants between sixteen and sixty appear on the North Inch in arms to attend the Magistrates on Wednesday at 10 a.m. Some months afterwards the Mercat Cross came up for consideration, when an order was issued to rebuild it, and make it equal to anything of the kind in Scotland. An agreement was made with Robert Milne to build it for £200. Orders were also given to procure two gallons of French wine and glasses to drink from, and to pour upon the cross ; bonfires were also ordered for the inauguration of the building. At the same time the Provost was ordered to ride over to William Lindsay of Auchterarder, and give him a call to be second minister of Perth. In 1668, an extraordinary order was given by the Council to seize horses, wherever they could be found, for the King's lieges. The Council at the same time authorised the nomination of persons to precognosce the millers, and to punish them according to their deserts, and to prescribe rules which they shall not in future transgress.

It also appears from the Council Records of 1668 that Provost Threipland was very jealous of his dignity. Patrick Hay of Pitfour was not ready with his obeisance when he met the Provost out of doors, and he did not lift his hat "to a man he did not respect." The Provost was irritated, and commissioned Bailie Orme to speak to Hay and tell him to behave himself in time to come to the Provost and Magistrates. That is to say, "to lift his cap when he comes by them or else go to the other side of the street, otherwise the Magistrates will take such course thereon as they see fit." Evidently Hay did the *amende honorable*, for we hear no more about this. The Council of that year made an agreement as to the yearly allowance to the precentor of the music school which was held in the house at the back of the new kirk, but the agreement is not given. The Council at the same time ordained Lord Gray to pay £40 for the seat in the lords' loft (St. John's Church) for himself and family, and Sir William Stewart of Invernytie and his family to have a back seat in the loft for £20. In the following year proceedings were instituted in the case of Sir William Blair of Kinfauns, who had been apprehended for bringing to the town malt ground at outside mills, and the Great Charter was taken to Edinburgh for opinion thereupon. At this period the Magistrates seem to have been nominated by the Privy Council, and those suspected of being Covenanters disqualified. John Wylie, one of the teachers of the Grammar School, refusing to take the oath before the Presbytery, was cited before the Council, when he declared he had not had freedom to take the oath and test, and resigned his office.



The following year the Provost was sent to Edinburgh with an unusual commission. He was authorised to procure an able physician to reside in Perth, as also a schoolmaster; but we have no record of the result. In 1670 the collector of assessment produced his accounts and roll of defaulters, and arms, and money, and was authorised to employ soldiers from Edinburgh Castle to recover the same and to pay them twelve shillings per day. In the matter of officers not putting decreets in execution, the Council ordered that when such is proved, the officers are to be taken to the Mercat Cross, their coats to be pulled off, their halberts to be taken from them, and themselves to be imprisoned during the Council's pleasure.

David Smythe, son-in-law of John Mercer, Town Clerk, who was elected to that office in 1623, was compelled by his father-in-law to request William Graham to be deputy clerk and assistant, on account of the Clerk's age. This request the Council refused, and suspended the Clerk for contumacy for refusing to deliver the Town Charters and other papers. Mercer was allowed to demit office. The Council paid him 1000 merks, and resolved that his successor should pay this sum.

There is an entry as to taking the late Dean of Guild's bed-fellow to prison for faults made out against her, and that the Dean did most furiously deforce the officer by menacing words and drawing his sword. No more is heard of this.

In 1671 the Council issued an order prohibiting horse-hirers from letting horses on the Sabbath day, under a penalty of forty shillings; and the following year they issued an order ordaining the Fiscal to serve for five years *gratis* in respect of sums due by

him to the Corporation. They also gave orders to search out two able young men to officiate as doctors in the Grammar School, the present two not being sufficiently qualified.

On 16th November, 1673, the Council gave instructions to provide eight dishes of good meat, moor fowl and the like, and a puncheon of good wine, everything to be done to make the approaching visit of the Convention of Burghs splendid. The whole Commissioners were to be made burgesses who are not such already. The Council further appointed Threipland to go to Edinburgh to buy wine for the Convention—the best to be obtained—also a puncheon of wine for the Communion. The sum of £345 was voted for this order. The Council at the same time ordered the Castle soldiers to be quartered on those who were absent in the three months, beginning with those of the greatest quality and able to pay. The people were afterwards displeased at Threipland's arrogant conduct,<sup>1</sup> and at next election he lost the Provostship, and Patrick Hay was elected. Unfortunately, there was a rule that no member of the Craft could sit as a merchant Councillor, and only merchant Councillors could be Provost. On this point, Hay was unseated, and Threipland was restored to his chair.

Threipland was in great indignation at the insult of being put out of the Provostship, and appealed the case to the Privy Council, who awarded him £20,000 Scots against the burgesses. This seems in the face of it a most unreasonable decision.

<sup>1</sup> It is said that Fingask Castle was founded as far back as 1194. It was greatly destroyed by Cromwell's troops during the Commonwealth. Patrick Threipland was treasurer of the burgh of Perth in 1657, and from 1664 to 1669 he was Provost, Sheriff, and Coroner. In 1674, he was knighted by Charles II.,

Though Hay lost the Provostship, he was restored to it in 1677. Threipland, however, was again made Provost by James VII. There was no election ; he took the oath that he was a true Protestant and not a papist. Some years afterwards, in 1689, he stood as a candidate for the Scottish Convention as member for Perth, but was unsuccessful. The records of 26th May, 1675, have a curious entry. An act was issued ordaining each of the inhabitants to have a bonfire opposite his own door, in commemoration of His Majesty's birth and restoration. If this order was obeyed, these fires must have been a spectacle. The Council at the same time deposed George Lumsden, tailor, from his office for abusing the Magistrates and drawing his dirk to William Stewart, Fingarth, whereby his life was in danger. His seat at the Council was declared vacant, and he himself was to remain prisoner till he found caution that Stewart and his family should not be molested in future. On 18th October, Bailie Craigdallie is requested to go to Edinburgh to report to the Privy Council the form and manner of last election, that the misrepresentations of Patrick Threipland may not be received by them as truth. Further, there was produced a letter sent to the Duke of Lauderdale and the Duke of Atholl as to ex-Provost Threipland having embezzled the common good, and now to be pursued and died in 1689. He was succeeded by his son, Sir David Threipland, who was a strong Jacobite, and with whom the Pretender stayed a night in 1715. Sir Stewart Threipland entered with enthusiasm into the Rebellion of 1745, after which he had little more happiness in life. He died in 1805, at the age of 89. He was succeeded by Sir Patrick Murray-Threipland, whose mother's name was Murray. This lady petitioned George IV. for the restoration of the forfeited title of the family, and in 1826 it was restored by Act of Parliament.

therefor, but on 6th March following there was a decret by the Lords reponing Threipland, and appointing the Magistrates, Dean of Guild, and Treasurer. The Council at the same time ordained the Postmaster to go to Edinburgh every Tuesday, and to have a house there for delivery of letters, and return every Friday afternoon. On February 7, 1681, there is an entry as to Henry Reid neglecting to furnish the town with intelligence, it not being convenient on account of his other business; the Provost to write him to continue till Whitsunday.

In 1680 there was a commission to Thomas Butter of the office of Town Clerk of Perth. The Council met, and being convened in a solemn manner, and taking full burden for the whole community, they elected and appointed Thomas Butter, lawful son of the deceased George Butter, of Clashbenny (of whose qualifications and good education they are assured), to the office of Common Clerk of the said burgh, *ad vitam aut culpam*, with all the emoluments pertaining to the said office, such as the deceased John Tais, the previous Clerk, or his predecessors enjoyed, or that may lawfully be due to him in the said office; and with power to appoint a depute or deputies to serve in his absence through sickness or otherwise. The commission states that he was formally appointed to the office by act of Council on 20th January, when the following conditions were imposed:—(1) that he should find caution for payment of 1,000 merks, bearing interest from Candlemas next (now past), at Candlemas, 1681, with this provision, that if he should die before Candlemas, 1681, he should not be liable for payment of the said principal sum, but only for the

interest thereof till then ; (2) that only £20 Scots be allowed to him yearly for chamber rent ; and (3) that he should make no claim to be clerk to the Guildry of the burgh unless he shall be lawfully elected thereto, any practice to the contrary notwithstanding. He had not received his commission then, but this present deed bears the desire of the Council now to grant it. It is not, however, signed, attested, or sealed. Butter died in 1687.

In a vacancy which occurred in 1683 the procedure was different, as will be seen from the following minute of the Town Council :—

We, the Provost, Magistrates, etc., of Perth, having right to present a minister to the kirk of the said burgh and there being a vacancy through the demission and translation of Alexander Ross ; we being therefore all of one mind have agreed to nominate present and appoint Andrew Grant minister at the College Church of Edinburgh to the said Kirk of Perth during all the days of his life ; giving and granting him so long as he remains minister the stipend of £600 usual money of Scotland (Scots) to be paid at Martinmas and Whitsunday by equal portions together with four chalders victual yearly between Yule and Candlemas, to be paid furth of the parsonage tiends of the parish. Humbly therefore desiring the most reverend fathers in God, Alexander Archbishop of St. Andrews to authorise Andrew Grant with his grace's usual courtesy and testimonial of admission to the ministry and provision during his lifetime. (Here follow signatures of Magistrates, Councillors and Deacons of Crafts.)

There was no free election in 1686, not only the Magistrates but the Council being nominated by the King (James VII.), who by his letter of 20th September prohibited the Council to meet for the election of Magistrates until his pleasure should be



known, the Magistrates and every member to solemnly take the test, which they all servilely did. In the former year the common jails of Scotland were so crowded with prisoners, on account of Argyll's invasion, that many were sent to Dunnottar, where they were confined in a loathsome dungeon till they were transported or executed.<sup>1</sup> This was a period of great oppression in Scotland, the King on the one hand forcing episcopacy on the people, and on the other hand punishing them if they dared to hold conventicles to discuss the situation and defend themselves. In the midst of this movement the King, as already stated, reserved to himself the right to nominate and elect the Town Council of Perth or 1686, and he issued the following edict:—

Forasmuch as it has pleased the King's Majesty by letter dated 9th November to the Privy Council, signifying that he is now resolved to nominate and appoint the Magistrates and other councillors and Deacons of Crafts for the Burgh of Perth as under, being such as his Majesty judges to be most loyal and ready to promote his rule, and most forward to support the interest of the Burgh and he therefore authorises the Privy Council to that effect. Therefore the Privy Council in pursuance of his Majesty's commands do hereby nominate and appoint—(here follows list of Council)—all which persons are hereby authorised to continue in their respective offices in said burgh and liberty thereof till Michaelmas next, and the said Lords appoint their entrance and admission to office to be on Friday 7th November next and recommend the Marquis of Atholl to be present, so that he may see his Majesty's Royal pleasure regularly and opportunely put into execution.

In 1703 the Town Council, who at that time controlled the Post Office, allowed £27 to James

<sup>1</sup> Adamson.

Dewar, postmaster, for postages, parliamentary news and gazettes; William Paton, writer, was to get the news letter from the Magistrates each Monday, and keep it for the inspection of the inhabitants, and not to give it out. The Council also discussed the matter of a hangman for the town, and Lord James Drummond allowed them the use of Donald M'Ara, his executioner in Crieff, the Magistrates and Council undertaking to return him when required. Some years afterwards, in 1713, Lord Breadalbane's executioner, John M'Ewan, was granted to the town on an undertaking by the Magistrates to give the Earl the use of him at all times, and return him if required. The extent to which executions were carried in those days is not anywhere recorded, but that these two noblemen kept executioners or hangmen for their own exclusive use, and that the town of Perth had no less than three sets of gallows within the burgh, would seem to indicate, if not the insecurity of life at that period, at least that the number of executions was appalling.

In 1723, the Magistrates lost the power of trying cases of life and death. An officer of a regiment stationed in Perth made himself a pest to a dancing-school by his visits to a girl attending it. The master and he quarrelled, after which, meeting incidentally, they drew their swords, and the officer killed the master on the spot. The Magistrates sentenced the officer to be hanged. His friends appealed to the London authorities for a pardon, and got it, but before they got to Perth the officer was executed. This led to an Act of Parliament, which ordained that no sentence of death should be executed north of the Forth under forty days.

In the same year street lamps were first erected in the burgh, and in 1728 the Magistrates ordered a water-plough from London for deepening the fords of the river. The treasurer was ordered to cut or carve a unicorn, to be fixed on the spire of the Cross where the old one was; also to take down the cock from the steeple, "as it has fallen down into the sockets, and is not turned by the wind, whereby the steeple and spire are in danger of ruin." In 1734 a committee was appointed to consider the enlarging of the Skinnergate, but the proposal ended in seven tenements only being demolished. The sum of £10 10s. was voted by the Council for encouraging the Horse Races to be run in September, towards making up £75, as three purses were to be run for. The following year they gave a fifteen guinea plate with the town's arms to be competed for at these races.

The Porteous Roll appears amongst the Burgh Archives, and gives a list of over 200 persons who must have been connected with that memorable riot. In 1764 three ministers were appointed for St. John's. The Magistrates and Council, aware that the number of the inhabitants in the town and parish who attended public worship in the Established Church had greatly increased, so that the two churches into which the parish was divided could not conveniently accommodate them, they resolved to have a third minister. In 1788, the town debt was £15,000. The town's salmon-fishings were at that period let for terms of three years. It was afterwards thought desirable to let them on a nineteen years' lease. The result was that the rent rose from £582 to £1010 per annum under this arrangement.

In concluding these tit-bits from the records, we come to a most remarkable event, the auditing of the town's accounts. Six of the councillors were appointed to conduct this audit, but they evidently quarrelled with the treasurer, refused to pass his accounts, rushed him by physical force into the Tolbooth, and fined him £20. It was altogether a ludicrous incident, and it is well told in the following official entry in the Privy Council Register :—

HOLYROOD, *27th August, 1577.*—Anent our Sovereign Lord's letters raised at the instance of Andrew Ramsay, burgess of Perth, against Patrick Whitelaw, one of the bailies of the said burgh, Oliver Peebles, Dean of Guild, and certain others to the number of six persons being nominated to be auditors of the treasurer's accounts for several years bygone: appointed 15th March last, at which date the complainer at the desire of the Provost appeared and produced his accounts as treasurer from November 1567 to May following. The said auditors, by collusion among themselves would not receive the complainer's accounts. Seeing which, and that three of them had been treasurers before, and were to make their own accounts and cover over every one with another, distributing the common good each as he thought proper, the complainer assured them that he would declare their collusion to the Regent and Lords of the Secret Council: and cause each of these unlawful accounts to be audited again by neutral auditors, whereby one treasurer would not be auditor to another. And then immediately the said treasurer and Dean of Guild with their officers put violent hands on the complainer, rushed him into the Tolbooth without any warning, would take no bail, but detained him prisoner till the 29th of March last, and then to colour their oppressive conduct gave in their complaint, judicially alleging that the complainer had injured them and stopped their accounting: therefore desired him to be punished in person, deprived of his freedom, to pay £20 of fine and to

be deprived for ever of holding office. Anent the charge given to Peebles and other alleged treasurers and intromitters with the Common Good these sixteen years by past, they to compear personally before the Regent and Lords of Secret Council to answer to this complaint, under pain of rebellion and putting to the horn, with certification if they fail, etc. Andrew Ramsay compeared personally, and the other persons also compeared. The Regent and Council willing to remove all occasion of sedition that may arise within the burgh, and the removing of faction furth thereof, ordained either of the said parties to nominate eight persons whom they thought suitable to be present with the Lords' Auditors at the re-auditing of the accounts of these treasurers for the aforesaid years. The Regent and Council ordain letters to be directed charging the foresaid persons who were treasurers, together with the other persons chosen for the hearing of the said audit to compear before the Lords' auditors at Edinburgh the 8th November next to audit of new their intromission with the Common Good under pain of rebellion and putting to the horn.

This incident shows how corrupt was the system of auditing in operation at that period. Every treasurer audited the accounts of his predecessor, dealt with the common good as suited his convenience, and evidently depended on the auditing being a mere farce.

*(End of the Council Records.)*

#### REGISTER OF THE PROVOSTS OF PERTH.

The Provosts of Perth were :—

*From 1368 to 1500.*—John Mercer, Laurence Spence, William Mercer, Andrew de Martyn, John



de Pitscottie, Andrew Charteris, Robert Donyng, Andrew de Martyn, Richard de Strathearn, Alexander Bunch, Thomas Peebles, Robert Mercer, Walter Ireland, Patrick Wells.

*From 1500 to 1600.*—Patrick Wells, Robert Mercer, Andrew Charteris, John Charteris, Alexander Tyre, of Busbie; Andrew Bunch, Alexander Blair, John Donyng, Patrick Charteris, Alexander M'Breck, William, Lord Ruthven; Oliver Maxton, John Christison, William Patullo, Patrick, Lord Ruthven; Patrick, Master of Ruthven; Sir William Murray, of Tullibardine; William, Earl of Gowrie; John, Earl of Montrose; John, Earl of Atholl; James Hepburn, James, Earl of Gowrie; John, Earl of Gowrie.

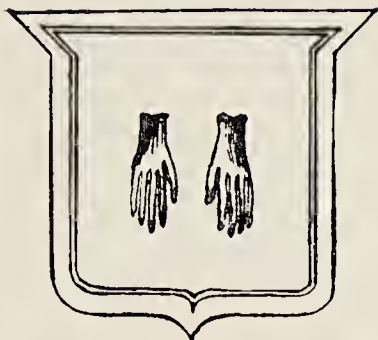
*From 1600 to 1700.*—Sir David Murray, afterwards Lord Scone; James Adamson, Viscount Stormont, Alexander Peebles, Robert Arnot, Andrew Gray, Andrew Grant, Andrew Butter, John Paterson, Patrick Threipland, George Threipland, Archibald Christie, Andrew Jackson, Patrick Hay, Robert Lauder, John Glas, Robert Smyth, George Oliphant, James Cree, David Murray, Patrick Davidson.

*From 1700 to 1800.*—George Oliphant, Patrick Davidson, Alexander Robertson, James Cree, James Brown, William Austen, Robert Robertson, Patrick Hay, William Ferguson, Colin Brown, Patrick Crie, John Robertson, William Stuart, William Gray, John Stuart, Alexander Simpson, George Fechny, Thomas Marshall, William Alison, John Caw, Alexander Fechny, James Ramsay, Thomas Black, Thomas Hay Marshall. Up to this time the Provost was elected annually.

THE ANCIENT CRAFTSMEN, THE INCORPORATIONS  
AND MERCHANT GUILDS.

A history of Perth would be incomplete without a chapter on the Ancient Craftsmen, who may be said to have composed the life of the city in the middle ages. The craftsmen and merchants were the two divisions of the burgesses, and in the matter of municipal authority they were always opposed to each other. The Merchant Guild was open to all burgesses until trade interests and certain Acts of Parliament led to the formation of Incorporations of Craftsmen. Nine such incorporations were formed in the fifteenth century. In 1424, the Scottish Parliament, which met at Perth, passed an Act declaring that every craft should have a Deacon and Council to govern and test all work made by craftsmen, so that the lieges be not defrauded. Up to 1469, the burgesses met in public and elected the provost, bailies, dean of guild, and other officers of the burgh. This plan seems to have become very unworkable, and another principle was adopted by which the new Council was annually elected by its predecessor. The nine deacons of incorporations usually secured a seat at the Council table, and in the Council records the Council is stated to have been the provost, bailies, councillors, and deacons of the crafts. A few years later, viz., at the beginning of the sixteenth century, there was not a craftsman in the Council except the deacons. At this period the Council is said to have been composed of what was called co-operate members (members who had an axe to grind), and this culminated in a serious appropriation of public property to private uses.

GLOVERS



HAMNERMEN



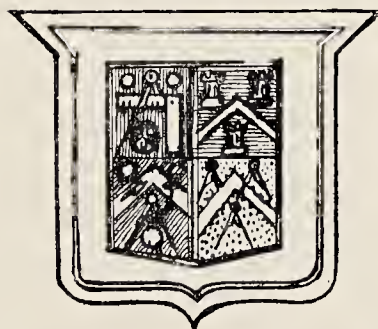
FLESHERS



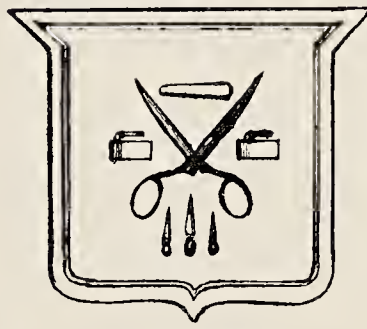
BAKERS



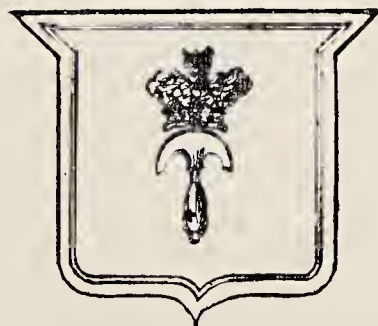
WRIGHTS



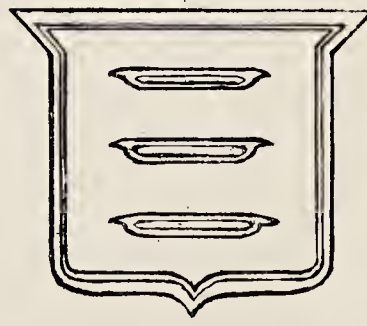
TAILORS



SHOEMAKERS



WEAVERS



*To face 376*



This again led to an order from the King ordaining the provost and bailies to select yearly four craftsmen of substance to sit at the Council in order to counteract what was going on. One of these was to have in his possession one of the keys of the closet in which the Common Seal of the burgh was kept ; and another to have the key of the outer door where the chest stood, in order that the town's seal might not be put to any improper use. Curiously enough, this royal decree was simply disregarded. Craftsmen for some time had been a majority in the Council as against the merchants. In 1530, however, under William, Lord Ruthven, as Provost, the King's order was obeyed, and the result was to materially strengthen the hands of the craftsmen. The following year it was tried to put a craftsman in a bailie's chair. This move was successful, and John Balneaves was appointed. On account of the ill-feeling which followed the election, the opposition made choice of another set of magistrates. But the Lords of Council and Session declared such election illegal, and the magistrates of the previous year were reinstated. The Scottish Parliament in 1555 passed an Act discharging incorporations from electing deacons, and after that date a deacon could no longer be a member of Council, but two craftsmen were to be chosen by the magistrates in place of the deacons. In the following year an Act was passed by the Queen Regent, ordering the number of craftsmen to be the same as the number of merchants at the Council board, and a craftsman and a merchant to be in alternate years treasurer of the burgh. The Queen Regent further ordained that should any craftsman be refused admission to the



Guildry, the Provost or any of the bailies was empowered to admit him.

In the reign of David I. (1124-53), foreign ships brought to Perth dyed cloths and articles for domestic use, and carried away wool and hides. The city being a seat of the Court whose residence was just outside the northern wall, there were wealthy buyers for the imports of the merchants. Skilled workmen from Flanders and Germany would appear to have settled down in Perth at that time. That well-known merchant, Henry Bald, goldsmith, had his booth at the east side of Skinnergate and High Street. Jewels for the Court ladies and money in exchange were supplied by him. The house in which he lived had been granted him by King William for his public services. At Bald's death it was left to the monks of Scone. In the reign of Robert III. many of the merchants were in the habit of visiting Denmark, Holland, and France, carrying with them not only their own goods but those of their neighbours to sell in these countries. They also made purchases and freighted vessels to carry the same to Perth. The purchases consisted of dyed cloths, linen sheets, knives, soap, tar, wines, etc. The importing of wine was of such moment that a committee of wine tasters was annually elected. The exports from Perth harbour consisted of wool, hides, deer and other skins, and barrels of salmon. Anyone buying goods in the country before they were offered in town was liable in a heavy fine. The buying and selling of skins, dairy produce, poultry and eggs, had to be done in the open market.

Wholesale buyers were not allowed to buy grain before eleven o'clock a.m., and no meal before twelve.

No burgess who had his residence and booth in town was allowed to have a booth in the country. The rules of the Magistrates were very drastic. On Wednesdays and Saturdays burgesses could put their goods on trestles outside their booths, but on the other four days this was not allowed. On these days the passage between the eavesdrops of the doors had to be kept clean. The lines of shops stood some feet back from the line of the flats above them and thus a covered way was formed for passengers. On Saturdays business was carried on till midnight. Trade was keen. Not only did the merchants stand at their doors and ask the passers-by "What do ye require?" but they would accost their neighbours' buyers, and induce them to come to their booths. It was usual for booths to be open on Sunday and for trade to be carried on in the town. In 1462, however, the Guildry passed a resolution forbidding merchants to buy or sell wool or skins on Sunday. And in 1504 the Guildry passed another resolution suppressing Sunday trading and ordaining all Guild brethren to attend the celebration of Holy Mass every Thursday. The bells were rung at 9 a.m. of that day, the brethren ordered to appear in church, join the procession following the eucharist round the church and hear devoutly the Mass. This service was, after the Reformation (1559), succeeded by public worship in the forenoon of Thursday till toward the close of the eighteenth century.

In 1531 the Guildry passed another resolution ordaining that when any of the brethren or their wives were laid aside by illness, the Sacrament was to be carried to their houses with two lighted torches in the procession, the expense to be borne by the

Guildry. In the case of death the torches were to be kept burning beside the body till it was buried.

Various illustrations occur of the discipline of the Guildry. Thus John Rait was guilty of contemptuous disobedience to the deacon and brethren of the craft. He was arrested and put in prison, besides being fined 30s., which sum to be paid before he came out. On coming out he was to pass bareheaded before the deacon and brethren of craft through the Watergate and by the Southgate (South Street) to his own booth door, and there to ask God's and the deacon's forgiveness, all which had to be done before he was allowed to resume business. Again in 1608 John Jamieson had misbehaved with his tongue and "pointed a musket" at the deacon. He was tried by the craft and sentenced to pass with musket in hand bareheaded through the town and through the Rottenrow to the Mercat Cross, and there on his knees ask forgiveness: then down the gate and through the Watergate to his own booth door, and there on the "height of the causey" to ask forgiveness, and pay £6 in cash. If any other member should do the like he shall make a more humble appearance by passing through the town "sark alane, bare fittet," and pay £12 in cash. A gate penny was charged on market days for a stand on the street. Midsummer and Andrewsma's markets were the chief days of trade. The deacon and his assistants went to all sellers of iron, pewter, and metal wares exhibited for sale, and received a payment for the privilege of the market.

When the Pomarium grounds, which had been the orchard of the Carthusian Monastery, came to be

built upon in the eighteenth century, many persons not freemen took up their abode there and carried on their calling. The incorporations raised actions against them for encroaching on their privileges, and the matter went to the Court of Session, when the dispute turned on the point whether the land was within the burgh. The Glover Incorporation, being the superior of Pomarium, came to the help of their feuars. After evidence had been led on both sides, the incorporations lost their case, as the ground was declared to be outside the burgh. It is recorded that the incorporations were careful to limit the number of masters in each art to the wants of the lieges, so that there might be no unprofitable competition. The members engaged in any one craft were at times consulted before a new member was admitted to the same craft. Some were occasionally prevented from commencing business on their own account while their fathers lived.

The "Beautiful Order" was at that period instituted, by which the merchants were bound unitedly to vote for their party. The firstfruits of this system was a tyranny, which ended in the rebellion of half the merchant councillors, who, with the craftsmen, displaced Threipland in 1675. The merchants resolved to bind every Provost by an oath not to hold office longer than two years in succession.

The most notable contest between the contending parties occurred in 1740, when the craftsmen in Council, having been joined by three of the merchants, elected a Provost and Magistrates, who were not the nominees of the merchants. The validity of the election was tested. The Law Courts sustained the

proceedings of the minority in the Council and the incorporations had to pay the costs.<sup>1</sup>

In pre-Reformation times there must have been a great deal of life and activity in the Ancient Capital. The Incorporations had their festival days when there were great processions perambulating the town. *Corpus Christi* day, which fell after Whitsunday, was evidently the greatest of these festivals, and the elaborate nature of the performance indicates what an immense preparation there must have been to carry it out in all its various parts. The authorities evidently disapproved of these festivals as being hurtful to public morals, and they were ordered to be given up. *Corpus Christi* was annually kept in Perth and celebrated by all citizens—members of incorporations included. This festival took the form of a dramatic performance of a Scripture scene, preceded by a huge procession through the streets, accompanied by the various incorporations, the consecrated host being carried in the centre. Each incorporation performed a play of its own. The day was the first Sunday after Whitsunday, and the church services on that day were followed by processions through the town. The mass bread was put into a silver box which a priest carried through the streets under a canopy, followed by priests in uniform. In presence of the canopy the town's people fell on their knees to do obeisance to the sacred casket. In pre-Reformation times this festival was probably the greatest day of the year in Perth. Those who formed the *dramatis personæ* also took part in the procession in their official robes, bearing their

<sup>1</sup> Hammermen Book.



own special banners. The plays were performed in St. John's Church, and in the religious houses. The characters represented in a play acted in 1518 by the Hammermen are recorded as follows :—

Adam—Eve.

St. Eloy—The Marmadin.

The Devil—His Man—The Angel—And the Clerk.

St. Erasmus—The Cord Drawer—The King—The Three  
Tormentors.

The Bearer of the best Banner—The Bearer of the other Banner.

The Stool Bearer—The Devil's Chapman.

The Minstrels.

This play was meant to represent the fall of man. The same play appears to have been performed annually. The procession through the streets must have been an imposing spectacle. We get an intelligent description of it from a paper in the possession of the Perth Literary and Antiquarian Society :—

Preparation of pageant for the procession of *Corpus Christi* Day on which the glovers were to represent Adam and Eve with an angel bearing a sword before them; the wrights were to represent Cain and Abel with an altar and their offering; merchants and vintners Noah and the ravens in the Ark apparently in the habits of carpenters; the weavers represented Abraham and Isaac and their offering and altar. The smiths represented Pharaoh and his host, the skinners represented the children of Israel; the gold-smiths were to find the King of Edom (viz., one of the three kings). The coopers would represent shepherds with an angel singing "*Gloria in Excelsis Deo Corpus Christi.*" Guilds were to find Christ in his passion with (Besides the Virgin, there was Mary Magdalene and Mary of Bethany and the widow of Nain; all three different persons, though they have been confounded with Mary Magdalene.) The tailors were to represent Pilate, with his robes and his wife clothed

accordingly; the barbers Annas and Caiaphas; the merchants, the Prophets; and the butchers, the Tormentors."

The Bakers acted a play in honour of St. Obert on 10th December annually, which was known as St. Obert's Eve. This festival, however, was clearly of less importance than *Corpus Christi*. Crowds of persons perambulated the town in disguise on these occasions, dancing, piping, and excited by the beating of the drums, carrying lighted torches in their hands. One of the parties was clad in what was called the Devil's Coat, and impersonated the devil. Another was mounted on a horse shod with men's shoes. This play, in spite of the Kirk Session, was annually performed up to 1588, when the Bakers resolved to give it up. But we live in a different age, and are content to regard these highly questionable exhibitions as relics of the past. They, however, are not without interest to us as showing how our ancestors enjoyed themselves during pre-Reformation times, and by what peculiar laws and customs trade and commerce were then governed. It is evident that the greatest factor in the life of the inhabitants at that period was the administration of the Town Council, the appointment of its members, and the observance of its laws and ordinances. All burgesses belonged to the Guildry or the Crafts, and the formation of rules to guide these two bodies was a subject which gave rise to the most interminable discussions and dissensions. These do not appear to have taken end until the Convention of Burghs arrived on the scene, when a very judicious and discreet code of laws was adopted for the future government of the city.

## THE VATICAN ARCHIVES.

It has always been supposed that important papers concerning Perth and Scone before the Reformation were domiciled in the Vatican Library ; but no substantial effort has ever been made to obtain access to them. Until recently these papers have as a matter of fact been quite inaccessible. By the friendly aid of the British Government and H. M. Stationery Office, the difficulties in the way are now being surmounted, and experts from the Record Office are now in Rome assorting these important papers in order to make them accessible and suitable for public inspection. Kalendars will be made up on the same principle as those at the Record Office, London, and the Register House, Edinburgh. The authorities at the Vatican are giving every assistance to help forward the work. We have made inquiry into the matter with the view of reproducing any official or other papers bearing on our own local history, so far as these could be obtained. We find that there are no papers concerning Perth or Scone earlier than 1198 ; nor, so far as yet discovered, is there anything after 1410. The papers affecting us are very few in number, and on the whole rather uninteresting and unimportant. Between 1198 and 1400 the following are the papers connected with Perth and Scone :—

## KALENDAR OF PAPAL REGISTRY.

*No. 1, dated 1207.*—Litigation in which the Abbot of Scone is a judge.

*No. 2, dated 1219.*—Mandate to the Abbots of Cupar, Scone, and Dunfermline, to investigate and report to the Pope as to the life and conduct of the Bishop of Moray. (See p. 387.)

*No. 3, dated 1220.*—Mandate to the Abbot of Scone and others to grant dispensation to Thomas de Stirling to hold a plurality of offices.

*No. 4, dated 1235.*—Mandate to the Bishop of Moray and the Abbots of Arbroath and Scone in reference to a debt due by Patrick, the clerk.

*No. 5, dated 1237.*—(Gregory IX.)—Mandate to the Bishop of Dunkeld, the Abbot of Holyrood, and the Prior of Scone to collect the whole ecclesiastical income of Patrick, clerk of the Diocese of Glasgow, and pay it over to the Bishop and Chapter of Glasgow, until satisfaction is made, deducting reasonable expenses, he having, when their Proctor at Rome, defrauded them to the amount of over 1,800 merks, besides usuries and accessions.—*5th April, Viterbo.* (See below, p. 388.)

*No. 6, dated 1237.*—Mandate to the Bishops of Glasgow and Dunkeld in reference to the Bishopric of Dunblane, with power of transferring certain rents and tithes to the monastery of Canons Regular of St. John in the same diocese.

*No. 7, dated 4th June, 1272.*—Faculty to the Dean and Chapter of Caithness to elect a fit person to be Bishop, their election of Nicholas, Abbot of Scone, in the Diocese of St. Andrews, having, on its being presented to the Pope by Mr. Henry de Nottingham, been cancelled on account of the Abbot's deplorable lack of learning. (See below, p. 389 f.)

*No. 8, dated 1273.*—Mandate to the Bishops of Moray, Aberdeen, and Argyle to examine the merits of the Bishop elect of Caithness, viz., Archibald, Archdeacon of Moray.

*No. 9, dated 1275.*—Mandate to the Bishops of St. Andrews and Dunkeld to examine the election of the Bishop-elect of Brechin, the See being void by the death of Dean William, Bishop-elect, on which the Dean and Chapter appointed three of their number to take their votes, when William Cumyn, a Friar preacher (Professor of Theology at Perth), was chosen. They are to examine him, and consecrate him if they find him fit, taking his oath of fealty to the Pope. (See below, p. 390 f.)

*No. 10, dated 1290.*—The Monastery of Lindores has a toft in the burgh of Perth by the gift of the King.

*No. 11, dated 1290.*—Mandate to the Abbot of Scone to sit as judge in a case.

*No. 12, dated 1306.*—William Henry, Abbot of Scone, appointed by the Chapter of Caithness, along with another, to elect the Bishop.

*No. 13, dated 1345.*—Mandate to the Abbot of Scone in reference to John Peny, M.A.

*No. 14, dated 1345.*—Mandate to the Abbot of Scone about the church of Thanethas.

*No. 15, dated 1412.*—Andrew de Burnes, priest of the Diocese of Aberdeen, for the vicarage of Echt, on the presentation of the Abbot and Convent of Scone. Petition on his behalf granted.

*No. 16, dated 1381.*—Petition on behalf of Matthew de Cokborn, Canon Regular of Scone, for a benefice in the gift of the Abbot and Convent of Jedburgh, value 100 merks.

*No. 17, dated 1410.*—Robert, Duke of Albany, on behalf of Richard de Mariton, canon of Scone, for the hospital of St. German, in the Diocese of St. Andrews, value £50. Granted.

Translations of the more important of these official documents are here appended :—

*Honorius [III.], Bishop, etc., to the Abbots of Cupar, Scone, and Dunfermline, of the diocese of St. Andrews, greeting—*

Our beloved sons, the Archdeacon and Chancellor of the Church of Moray, have written to tell us that their Bishop is intent only upon the milk and wool that he can obtain from the flock entrusted to him, and demands sometimes the eighth and sometimes the one-third part of their revenues at his own will. He extorts money from them in name of administration, although he discharges not the duty of visiting their churches. Further, unmindful of the fact that our Lord drove forth from the temple the sellers of doves, he not only takes money from those about to be ordained, but he even exacts and extorts it, sometimes heavily burdening them by frequent collections.



And the money thus evilly obtained he dissipates and spends in luxuries, sometimes with harlots, his association with whom is matter of common report, while for a bribe he dissolves lawful wedlock, and indulges that which is unlawful, dispensing with the sins of the subjects, not for their penitence but for money. Upon which and other accounts he lies under such public scandal that he presents rather a savour of death unto death, than a savour of life unto life as he ought to do. And although the said Archdeacon and Chancellor have in their love frequently admonished him to lead a better life they have been able to effect nothing. Unwilling, therefore, to ignore this state of matters, we, by our apostolic writing, remit to your discretion, if you shall find the character of the foresaid Bishop harmful in the matters above-mentioned, to make careful inquiry regarding them, and that ye faithfully transmit to us, closed under your seals, both the results of your inquiry, and whatsoever the said Bishop may bring forward in his own defence, setting beforehand to the said Bishop a competent term for his presenting himself before us that he may be dealt with according to his deserts.—30th January, 1219. (Translated from Theiner's *Vetera Monumenta Hibernorum et Scotorum Historiam illustrantia*, etc. xxii. 9.)

*Gregory [IX.], Bishop, etc., to the Bishop of Dunkeld, the Abbot of Holyrood and the Prior of Scone, of the diocese of St. Andrews, greeting—*

He has been informed by the Bishop and Chapter of Glasgow that Patrick, clerk of that diocese, who was appointed their procurator to act for them at

Rome, had squandered the sum of eight thousand merks and involved the Church of Glasgow in other liabilities, which they may be compelled to satisfy, while he has done nothing for the good of the said church. Solicitous, therefore, for the welfare of the said church, he ordains them, if matters be so, to attach the entire church revenues of the said Patrick, and assign them by the apostolic authority to the foresaid Bishop and Chapter until such time as they shall have been fully paid of the money foresaid and satisfied therefrom for their losses and expenses; provided that where any of his benefices include the cure of souls they provide therefor by a competent vicar, and assign to him from the rents of the said church a suitable maintenance.—Viterbo, 5th April, 1237. (Translated and condensed from Theiner, *op. cit.*)

*A.V. Reg. Vat. 37 (Gregorii X. Bullar. An. I. ad IV.),  
fol. 92, An. II., n. LIIII.—*

*To the Dean and Chapter of the Church  
of Caithness.*

Your church having some time ago been deprived of the consolation of a Pastor, you did unanimously and harmoniously choose as your Bishop our beloved son Nicolas, Abbot of the Monastery of Scone of the diocese of St. Andrews. But on representation being made to us on your behalf by our beloved son, Master Henry de Nothingham, priest, your Procurator, we have, by the advice of our brethren and in the interests of justice, annulled his election on the ground that the said Abbot was deficient in learning, a defect not to be

tolerated in a Prelate. Willing, therefore, to do you a special favour in this matter, we accord to you, by these presents, free permission again to choose a fit and proper person as Bishop and Pastor.

Given at Rome, on the [second] day before the Nones of June, in the second year of our Pontificate [4th June, 1272. Gregory X. was consecrated 27th March, 1271].

*Gregory [X.], Bishop, etc., to his venerable brethren, the Bishops of St. Andrews and Dunkeld, greeting—*

Although we are bound by our apostolic office to have a continual solicitude for all the churches, as having the general oversight of them, yet more especially do those which are immediately attached to the Holy See demand our most careful attention, that by such fruitful diligence they may be protected from injuries and their revenues, as given by the Lord by a salutary foresight, conserved. Forasmuch as the Dean and Chapter of Brechin have presented to us a petition setting forth that, the Church of Brechin, which belongs immediately to the said See, being by the death of William, Dean of Brechin, of good memory, who was elected to be Bishop of Brechin, destitute of episcopal oversight, they had summoned all persons who ought, should, or could have conveniently interest, upon a day previously appointed for the election, and proceeding by way of scrutiny by three trusty members of their college, unanimously chosen, who secretly and individually required the votes of each person,

and, faithfully recording it in writing, thereafter published the results in the Chapter, having diligently scrutinised the votes. Whereupon the Dean of Brechin, who was one of the three, caused it to be published in his own name, and in the name of the members of the Chapter and each of the Canons, that their choice had unanimously fallen upon that religious man, Friar William Cumyn, of the order of Friars Preachers, a man of honourable life, fame, and conversation, of lawful birth, mature age, skilled in letters, well known for integrity of life, and circumspect in matters both spiritual and temporal. Him, being at that time Regent of the Faculty of Theology in the house of the Friars Preachers of Perth, after imploring the grace of the Divine Spirit, they elected Bishop and Pastor of Brechin. They thereupon sent to us our beloved sons, Gottifred and Reginald, Canons of Brechin, to entreat that we would confirm their election of this person, and ordain some of the bishops of those parts to bestow the gift of consecration upon him. Although much occupied with great and important matters, because the business of this election presses, and we desire to gratify the wishes of the aforesaid church by a salutary provision, we ordain you, our brethren, to examine the circumstances of the foresaid election, taking notice of the persons who are known to have taken part therein, and if you are satisfied with the procedure, when our said brother shall have obtained permission from his own order to undertake the administration of the said church, you by the apostolic authority shall confirm the same, and confer upon him the gift of consecration, enjoining upon his subjects the showing to him due reverence and

obedience. You are to associate with yourselves a third bishop from that kingdom, and to receive from the Bishop-elect the customary oath of allegiance to us and the Roman See in accordance with the form herewith sent. The form of oath which he shall take ye shall transmit to us. If by any means this election should be annulled, ye shall see that the Church of Brechin is provided with a fit and proper person as its Bishop. . . . But if any mortal contingency befall either of you, the survivor, having associated with him two or three of the Bishops of those parts, shall faithfully carry out the above mandate concerning the foresaid Bishop-elect.—Dated at Bellicadri, 9th June, 1275. (Translated and slightly condensed from Theiner, *op. cit.*)





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